



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 4 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A PERIODICAL)

No. 40]

PERTH : WEDNESDAY, 28th APRIL

[1965

Crown Law Department,
Perth, 14th April, 1965.

THE undermentioned regulations made under the provisions of the Fire Brigades Act, 1942, and amended from time to time prior to 28th October, 1964, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

FIRE BRIGADES ACT, 1942.

REGULATIONS.

Published in the *Government Gazette* on the 29th March, 1961, and incorporating amendments thereto published in the *Government Gazette* on the 29th June, 1961, the 19th February, 1964, the 16th April, 1964, and the 23rd June, 1964; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister dated 14th April, 1965.

FIRE BRIGADES ACT, 1942.
Regulations.
(Section 35.)

1. These regulations may be cited as the Fire Brigades Act Regulations.

Reg. 2
amended by
G.G. 1/4/60,
p. 980.

2. These regulations are divided into Parts, as follows:—
Part I: r.r. 3 to 43—Election of Members of the Board.
Part IA: r.r. 43A to 43F—Disputed Returns.
Part II: r.r. 44 to 53—Proceedings and Business of the Board.
Part III: r.r. 54 to 59—Financial Provisions.
Part IV: r.r. 60 to 78—Pension or Superannuation Fund.
Part V: r.r. 79 to 93—Long Service Leave.
Part VI: r.r. 94 to 157—Permanent Fire Brigades.
Part VII: r.r. 158 to 214—Volunteer Fire Brigades.
Part VIII: r.r. 215 to 218—Private Fire Brigades.
Part IX: r.r. 219 to 229—Miscellaneous.
First Appendix—Forms of Debuture and Agreement.
Second Appendix—Forms of Nomination and Voting Papers.

Reg. 2A
inserted by
G.G. 24/3/44,
p. 270.

2A. When the day prescribed or appointed by these regulations for the doing of any act, matter or thing under these regulations, or when any period of time allowed for the doing of any such act matter or thing falls or expires (as the case may be) on a Sunday or a Bank Holiday or a Public Holiday such day or period of time shall be extended so as to include the day next following such Sunday, Bank Holiday or Public Holiday as aforesaid.

Part I.—Election of Members of the Board.
Secretary to Furnish Information.

3. The secretary of the Board shall, on demand, forthwith furnish the returning officer with such information as may be required for the purpose of conducting any election under the provisions of the Act and these regulations.

Nomination and Voting Papers.

4. Nomination and voting papers shall be according to the respective forms prescribed in the Second Appendix to these regulations.

First Elections.

5. The procedure prescribed in these regulations for periodical elections shall, as far as is possible, be applied to the said first elections.

Reg. 6
amended by
G.G. 24/3/44,
p. 270.

Periodical Elections by the Insurance Companies.

6. On the first day of October in each year the returning officer shall forward a nomination paper to each insurance company.

Reg. 7
amended by
G.G. 24/3/44,
p. 270.

7. Each such company may nominate one or more candidates for election as a member of the Board to represent the insurance companies, and the completed nomination paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 21st day of October.

8. Where the number of candidates nominated does not exceed the number of vacancies to be filled, the returning officer shall, by notice in the *Government Gazette*, declare such candidate or candidates (as the case requires), duly elected.

9. Where the number of candidates nominated is in excess of the number of vacancies to be filled, the returning officer shall, not later than the 11th day of November, forward a voting paper or voting papers (as the case requires, under regulation 10) to each insurance company.

Reg. 9
amended by
G.G. 24/3/44,
p. 270.

10. The number of voting papers to be allotted to insurance companies shall be according to the following scale:—

Reg. 10
amended by
G.G. 19/2/64,
p. 678.

(a) Insurance companies (other than marine insurance companies), each company:—

| Amount of contribution numerator declared in the latest return lodged with the Board— | Number of Voting Papers. |
|---|--------------------------|
| Not exceeding £2,000 | One |
| Exceeding £2,000 but not over £5,000 | Two |
| Exceeding £5,000 | Three |
| (b) Marine insurance companies, each company | One |

11. (a) Each insurance company shall mark the voting paper by placing the numeral 1 opposite the name of the candidate for whom the company votes as its first preference, and shall give contingent votes for all the remaining candidates by placing the numerals 2, 3, and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of preference and shall sign the declaration in the form of voting paper contained in Part 4 in the Second Appendix to these regulations.

Reg. 11
amended by
G.G. 11/9/53,
p. 1690.

(b) Any voting paper which is not marked and signed as specified in this regulation shall be informal.

12. The completed voting paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the eighth day of December.

Reg. 12
amended by
G.G. 24/3/44,
p. 270.

13. The counting of votes shall be according to the preferential system of voting as employed in State Parliamentary Elections, and laid down in the Electoral Act, 1907-1942,¹ so far as it is applicable.

14. In the case of an equality of votes, the returning officer shall have a casting vote.

15. The returning officer shall count the votes on the ninth day of December and, by notice in the *Government Gazette*, declare the candidate or candidates (as the case requires) receiving the largest number of votes to be duly elected.

Periodical Elections by the Council of the City of Perth.

16. The returning officer shall during the month of October in each election year advise the Town Clerk that an election is due.

17. The member to be elected by the Council of the City of Perth shall be elected at a meeting of the council to be held during the month of November in each election year.

18. The name of the person elected shall forthwith be communicated by the Town Clerk to the returning officer, who shall, by notice in the *Government Gazette*, declare such person duly elected.

Periodical Elections by the Local Authority.

19. The Council of each municipality and the Board of each road district mentioned in Parts II, III, and IV respectively of the Second Schedule to the Act, or as may be added thereto or excised therefrom under section 5, may take part in the elections held in respect to each of such groups of municipalities and road districts.

¹ Now Electoral Act, 1907-1964.

Reg. 20
amended by
G.G. 4/5/51,
p. 1232.

20. On the 1st day of September in each year the returning officer shall forward a nomination paper to each local authority in the respective groups for which an election is to be held.

Reg. 21
amended by
G.G. 24/3/44,
p. 270.

21. Each such local authority may nominate a candidate for election as a member of the Board to represent the local authorities comprised in such local authority's group, and the completed nomination paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 21st day of October.

22. If not more than one candidate is nominated to represent any one of the said groups of municipalities and road board districts, as set out in Parts II, III, and IV of the Second Schedule to the Act, or as may be added thereto or excised therefrom under section 5, the returning officer shall, by notice in the *Government Gazette*, declare such candidate duly elected.

Reg. 23
amended by
G.G. 24/3/44,
p. 270.

23. If more candidates than one are nominated for any of the said groups, the returning officer shall, not later than the 11th day of November, forward a voting paper to each municipal council and road board concerned.

24. Each such municipal council and road board shall be entitled to one vote in the said election.

Reg. 25
amended by
G.G. 11/9/53,
p. 1691.

25. (a) Each such municipal council and road board of the several groups shall, on the occasion of any ordinary or special meeting in accordance with a resolution of the meeting mark the voting paper by placing the numeral 1 opposite the name of the candidate for whom the council or board votes as its first preference, and shall give contingent votes for all the remaining candidates by placing the numerals 2, 3, and so on (as the case requires), opposite their names, so as to indicate by such numerical sequence the order of preference.

(aa) The declaration in the form of voting paper contained in Part 4 in the Second Appendix to these regulations shall be signed by the Chairman and another person in the presence of each other at the meeting at which the resolution was passed.

(b) Any voting paper which is not marked and signed as specified in this regulation shall be informal.

Reg. 26
amended by
G.G. 24/3/44,
p. 270.

26. The completed voting paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the eighth day of December.

27. The counting of votes shall be according to the preferential system of voting as employed in State Parliamentary Elections, and laid down in the Electoral Act, 1907-1942,¹ so far as it is applicable.

28. In the case of an equality of votes, the returning officer shall have a casting vote.

29. The returning officer shall count the votes for each group concerned on the ninth day of December and, by notice in the *Government Gazette*, declare the candidate receiving the largest number of votes to be duly elected.

Periodical Elections by the Volunteer Fire Brigades.

30. The volunteer fire brigades registered with the Board under section 49 of the Act may take part in the elections.

Reg. 31
amended by
G.G. 4/5/51,
p. 1232.

31. On the 1st day of September in each election year the returning officer shall forward a nomination to each volunteer fire brigade.

Reg. 32
amended by
G.G. 24/3/44,
p. 270.

32. Each such brigade may nominate a candidate for election as a member of the Board to represent the volunteer fire brigades, and the completed nomination paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 21st day of October.

¹ Now Electoral Act, 1907-1964.

33. If not more than one candidate is nominated the returning officer shall, by notice in the *Government Gazette*, declare such candidate duly elected.

34. If more candidates than one are nominated by the said volunteer fire brigades, the returning officer shall, not later than the 11th day of November, forward a voting paper to each brigade concerned.

Reg. 34
amended by
G.G. 24/3/44,
p. 270.

35. Each such volunteer fire brigade shall be entitled to one vote in the said election.

36. (a) Each such brigade shall, on the occasion of any ordinary or special meeting in accordance with a resolution of the meeting, mark the voting paper by placing the numeral (1) opposite the name of the candidate for whom the brigade votes as its first preference, and shall give contingent votes for all the remaining candidates by placing the numerals 2, 3, and so on (as the case requires), opposite their names, so as to indicate by such numerical sequence the order of preference.

Reg. 36
amended by
G.G. 11/9/53,
p. 1691.

(aa) The declaration in the form of voting paper contained in Part 4 in the Second Appendix to these regulations shall be signed by the Chairman and another person in the presence of each other at the meeting at which the resolution was passed.

(b) Any voting paper which is not marked and signed as specified in this regulation shall be informal.

37. The completed voting paper shall be forwarded to the returning officer so as to reach him not later than 12 o'clock noon on the 8th day of December.

Reg. 37
amended by
G.G. 24/3/44,
p. 271.

38. The counting of votes shall be according to the preferential system of voting as employed in State Parliamentary Elections, and laid down in the Electoral Act, 1907-1942,¹ so far as it is applicable.

39. In the case of an equality of votes the returning officer shall have a casting vote.

40. The returning officer shall count the votes on the 9th day of December and, by notice in the *Government Gazette*, declare the candidate receiving the largest numbers of votes to be duly elected.

Extraordinary Vacancies.

41. Every extraordinary vacancy in the office of a member of the Board shall be filled by appointment or election, as the case may require, under and subject to the provisions of section 11 of the Act, and the procedure prescribed in these regulations for periodical elections shall apply, so far as is possible.

Telegraphic Communications.

42. In all cases where it is impracticable to communicate any matter by post without occasioning undue delay, any telegraphic advice communicated in the ordinary course shall suffice for the purpose of these regulations.

Declaration of Appointment or Election.

43. (a) The publication in the *Government Gazette*, of the names of members of the Board appointed by the Governor shall be conclusive evidence of their appointment.

(b) The publication in the *Government Gazette* by the returning officer of the names of elected members of the Board shall be conclusive evidence that the elections at which such members were elected were held in accordance with the Act and these regulations, and that such members were duly elected.

¹ Now Electoral Act, 1907-1964.

Part IA
inserted by
G.G. 1/4/60,
p. 980.

Part IA.—Disputed Returns.

Reg. 43A
inserted by
G.G. 1/4/60,
p. 980.

43A. (1) An application for determination of a question or dispute which has arisen as to the regularity or validity of an election held under the provisions of the Act, or the voting at the election, shall be in the form specified in Part 5 of the Second Appendix to these regulations and shall be lodged in duplicate with the returning officer.

(2) The time after the completion of an election within which an application under subregulation (1) of this regulation in respect of the election may be lodged shall be three months.

Reg. 43B
inserted by
G.G. 1/4/60,
p. 980.

43B. Within seven days of the lodgment of the application referred to in regulation 43A of these regulations, the returning officer shall give notice in writing to the Minister that a question or dispute has arisen as to the regularity or validity of the election, or the voting at the election.

Reg. 43C
inserted by
G.G. 1/4/60,
p. 980.

43C. (1) The stipendiary magistrate appointed by the Minister to determine the question or dispute shall fix a time and place for the hearing of the application and thereupon shall issue a summons requiring the returning officer, the applicant, the person returned at the election, and any other persons to appear before him on the day and at the place named in the summons.

(2) The summons referred to in subregulation (1) of this regulation shall be in the form specified in Part 6 of the Second Appendix to these regulations.

Reg. 43D
inserted by
G.G. 1/4/60,
p. 980.

43D. On the appearance before him of the parties, or in default of such appearance, the magistrate may, upon proof of service of the summons issued by him, proceed to hear the subject matter of the application and determine the question or dispute.

Reg. 43E
inserted by
G.G. 1/4/60,
p. 980.

43E. For the purposes of the hearing of an application under this Part of these regulations, the magistrate has and may exercise, in addition to the powers conferred by the Act and these regulations, the powers conferred upon Justices of the Peace under the Justices Act, 1902, in all respects so far as concerns the powers relating to the summoning of witnesses, the taking of evidence and the conduct of proceedings, as though the application were a matter which may be heard and determined by Justices under that Act.

Reg. 43F
inserted by
G.G. 1/4/60,
p. 980.

43F. When the magistrate has as required by the Act and these regulations determined the question or dispute, he shall forward forthwith a copy in writing of his determination to the Minister and to the returning officer.

Part II.—Proceedings and Business of the Board.

Office.

44. The office of the Board shall be at the Headquarters Fire Station, Perth, or at such other place as the Board may from time to time determine.

45. The office of the Board shall be open for the transaction of business during such hours as the Board may from time to time determine.

Meetings.

46. The Board shall meet for the transaction of ordinary business on such days and at such time and place as the Board shall from time to time determine.

47. The President may, or on the written requisition of three members of the Board the Secretary shall, call special meetings of which each member shall receive at least seven days' notice.

Committees.

48. The Board may delegate any of its powers to committees, duly appointed by the Board, but any committee so formed shall, in the exercise of its powers so delegated, conform to any direction

that may be imposed upon it by the Board. Each such committee shall report to the Board. The president shall be *ex officio* a member of all committees.

Debate.

49. The debate on all questions at meetings of the Board shall be conducted in accordance with the rules, forms, and usages which govern debates in the Legislative Assembly of the State Parliament, so far as the same are applicable or can be made applicable thereto.

Minutes.

50. A record of all proceedings of the Board and of every committee, with the names of the members who attend each meeting, shall be made in books kept for the purpose under the direction of the Board and committees, and shall be signed at the next or some subsequent meeting of the Board or committee.

Common Seal.

51. The common seal shall be placed in the custody of the secretary, who shall keep it securely locked up in the office or have same deposited with the bankers of the Board for safe custody. The seal shall not be affixed to any document, except by the order of the Board as recorded in the minutes, and, when affixed, must be witnessed by at least two members of the Board, and by the secretary or any other officer authorised by the Board in that behalf.

Amendment, Rescission, or Extension of Regulations.

52. Any member may, on giving seven clear days' notice, submit to the Board at its ordinary meeting, or at a special meeting, any motion for the purpose of recommending to the Governor in Council the making, altering, amending, rescinding, or extending of any regulation authorised under the existing Fire Brigades Act.

53. The Secretary or other officer appointed by the Board to act in his stead shall—

- (a) be the chief executive officer of the Board;
- (b) be responsible to the Board for the proper control and management of the office;
- (c) prepare and send, or cause to be prepared and sent, to the members of the Board or of any committee, all notices of meetings;
- (d) prepare and submit to the president, at least twenty-four hours before the relative meeting, agenda papers for meetings of the Board or of any committee;
- (e) attend all meetings of the Board and of committees, present all correspondence, reports, notices and other documents relative to the business of the meeting, and enter the minutes of all acts, resolutions, and proceedings in a minute book to be kept for that purpose;
- (f) deal, under the supervision of the President, with all inward and outward correspondence of the Board and of committees;
- (g) carry out, or cause to be carried out, under the supervision of the President, all resolutions and directions carried or given at any meeting of the Board or a committee;
- (h) supervise the receipt and disbursement of moneys on behalf of the Board;
- (i) keep and make, or cause to be kept or made, proper records of the accounts of the Board;
- (j) be responsible to the Board, for the purchase, safe custody and disposal of the Board's property;
- (k) have direct contact with any employee of the Board;

Reg. 53
substituted
by
G.G. 8/2/46,
p. 144.

- (l) prepare and submit to the Board, in the month of June in each year, an estimate of the probable expenditure which may be necessary to be incurred by the Board, under or in pursuance of section 36 of the Act, during the next succeeding year;
- (m) prepare and submit to the Board, in the month of November in each year, a report of the proceedings of the Board during the year then last past;
- (n) generally carry out, or cause to be carried out, all orders and directions of the Board and of the President, and, subject to the control of the Board and of the President, do all such acts as may be necessary for the proper and effective execution of the Act and these regulations.

54. [Regulation 54 and heading thereto revoked by G.G. 28/9/60, p. 2983.]

Travelling Allowances.

Reg. 55
amended by
G.G. 9/11/51,
p. 3074.
G.G. 19/7/56,
p. 1786.
G.G. 29/6/61,
p. 2044.

55. (1) Members and officers of the Board, when attending demonstrations, competitions, conferences, or inspections, or engaged in other Board business, shall be entitled to and shall be paid the special allowances set forth in the following scale, namely:—

- (a) For journeys within the State occupying more than one day:—
 - (i) Members of the Board—60s. per diem;
 - (ii) Officers of the Board—Subject to any award or industrial agreement, officers of the Board shall be entitled to and shall be paid travelling allowances on the same scale and basis as paid from time to time to officers employed within the State of Western Australia under the Public Service Act, 1904-1950.¹
- (b) For journeys within the metropolitan area or occupying less than one day, members and officers of the Board shall be allowed out-of-pocket expenses reasonably incurred by them.
- (c) Members and officers of the Board, when travelling beyond the limits of the State on the authority of the Board, shall, except when at sea, or on the Commonwealth Railway between Kalgoorlie and Port Pirie, receive the following allowances:—
 - Members of the Board—100s. per diem;
 - Officers of the Board—As shown in paragraph (a) (ii) of this regulation unless it can be shown to the satisfaction of the Minister that such amount is insufficient to meet their reasonable out-of-pocket expenses.
- (d) Members and officers of the Board when travelling by steamer or other vessel, or on the Commonwealth Railway between Kalgoorlie and Port Pirie, in which the fare paid includes subsistence, shall receive the following allowances:—
 - Members of the Board—An allowance equal to 15 per cent. of the passage money, calculated on single fare in lieu of the ordinary travelling allowance.
 - Officers of the Board—As shown in paragraph (a) (ii) of this regulation.

(2) In addition to the foregoing allowances, members and officers of the Board shall be allowed first-class railway and steamer fares, where such expense is incurred by them when travelling on Board business; and, in the case of a member of the Board resident in the country, the Board may provide him with a seasonal railway ticket.

¹ Now Public Service Act, 1904-1963.

(3) All expenditure incurred by the Board under this regulation shall be charged to the administration costs of the Board, excepting that incurred in connection with demonstrations, which shall be charged to demonstration costs.

Disbursements.

56. All payments of £1 and over shall be made by cheque upon the bankers of the Board, signed by any two of the following officers of the Board: Secretary, accountant, chief clerk, senior clerk.

Reg. 56
substituted
by
G.G. 31/8/55,
p. 2077.

Debentures.

57. A debenture issued by the Board to secure money borrowed by way of overdraft from a bank, and an agreement relating thereto, may be in the forms in Parts 1 and 2 of the First Appendix hereto, or to the effect thereof, and in such case it shall not be obligatory that a sinking fund should be provided for the redemption thereof.

58. Where the Board borrows money from a lender, otherwise than by way of overdraft from a bank, the debenture or debentures issued by the Board to secure the money so borrowed may be in such form as shall be mutually agreed upon by the Board and the lender and as may be approved by the Governor, and, subject to the Act and to the approval of the Governor, the provision of a sinking fund by the Board for the purpose of paying off such debenture or debentures may be dispensed with.

Marine Insurance Companies.

59. Every marine insurance company carrying on business of marine insurance in the State of Western Australia and not otherwise contributing to the funds of the Board, shall contribute to the said board, for the protection of the interests insured under their policy on wharves and jetties, the sum of ten pounds annually, in advance, on the first day of January in each and every year: Provided that in any year the annual contribution payable by any marine insurance company may, with the approval in writing of the Board, be paid by four equal quarterly instalments on the first days of January, April, July, and October in such year.

Establishment of Replacement Funds.

59A. (1) The Board may establish Replacement Funds into which shall be paid such amounts—

- (a) as the Board from time to time deems necessary; and
- (b) as provided for in the approved Estimates of the Board each year.

(2) The Board may from time to time apply any of the moneys in the Replacement Funds towards the purchase, construction, renewal, maintenance or replacement of land, buildings, machinery or plant.

Reg. 59A
inserted by
G.G. 19/7/56,
p. 1786.

Part IV.—Pension or Superannuation Fund.

Interpretation.

60. In the regulations contained in this Part:—
“accounting period” means—

- (a) for each year up to and including the 30th day of September, 1957, a period of 12 months expiring on the 30th day of September in each year;
- (b) for the year 1958, the period from and including the 1st day of October, 1957, to and including the 30th day of June, 1958;
- (c) for each period of 12 months expiring on the 30th day of June in any year subsequent to the 30th day of June, 1958, a period of 12 months expiring on the 30th day of June in each year.

Reg. 60
amended by
G.G.
20/11/57,
p. 3397.

"Board" means the Western Australian Fire Brigades Board.

"Employee" means—

- (a) any person, not being a member of a fire brigade, who is employed by or under the Board in a permanent capacity and is by the terms of his employment required to give his whole time to the duties of his employment; and
- (b) any person who is employed by or under the Board as a full time member of the following fire brigades—1, Albany; 2, Boulder; 3, Bunbury; 4, Claremont; 5, Fremantle; 6, Geraldton; 7, Kalgoorlie; 8, Leederville; 9, Maylands; 10, Midland Junction; 11, Northam; 12, North Fremantle; 13, North Perth; 14, Perth; 15, South Perth; 16, Victoria Park.

"Fund" means the Western Australian Fire Brigades Board Superannuation Fund.

"salary" means salary or wages and includes the value of service and rent allowances and house allowed free, but does not include bonuses, overtime, or any allowances other than those mentioned herein.

"subscriber" means an employee who has become a contributor to the Fund.

Establishment and Title.

61. (1) A pension or superannuation Fund for the employees contributing thereto heretofore established as on and from the first day of October, 1939, shall be and is hereby continued.

(2) The full title of the Fund shall be the Western Australian Fire Brigades Superannuation Fund.

(3) The date of the commencement of the Fund shall be the first day of October, 1939, hereinafter referred to as the "date of commencement," and the regulations contained in this Part shall apply and have effect accordingly.

Management.

62. (1) The Board shall control the said Fund.

(2) The procedure of the Board as to the management of the Fund, the execution of deeds and documents, and all other matters connected with the Fund, shall, in so far as it is not inconsistent with these regulations, from time to time be regulated by the Board in accordance with resolutions thereof.

(3) Subject to the discretion of the Board, the expenses of management and administration of the Fund shall be borne by the Board out of its funds: Provided that the Board may at any time decide that the Fund shall bear the whole or any portion of the expenses of management and administration of the Fund.

Subscribers.

63. (1) As soon as it is practicable to do so after the commencement of this Part, but not later than a date to be fixed by the Board, every employee who is employed by or under the Board at the date when the regulations contained in this Part come into operation and is not already a subscriber to the Fund, shall signify to the Board, by writing under his hand, whether he does or does not intend to become a subscriber to the Fund.

(2) Every such employee who prior to the date so fixed states that he intends to become a subscriber to the Fund, shall thenceforward, so long as he continues in the service of the Board, be a subscriber to the Fund, and shall be bound in all respects by these regulations.

(3) Any such employee not already a subscriber as aforesaid who prior to the date fixed as aforesaid states that he does not intend to become a subscriber to the Fund, or fails to state that he intends to become a subscriber, shall not, except with the specific consent of the Board, at any time thereafter be admitted as a subscriber to the Fund.

64. Any person appointed by the Board as an employee after the date of coming into operation of the regulations contained in this Part shall, on and from the date of his appointment, and so long as he continues in the service of the Board, be a subscriber to the Fund.

Contributions.

65. (1) Every subscriber to the Fund shall contribute thereto a sum equal to 5 per cent. of his salary, and such contributions shall be deducted by the Board by weekly instalments as the salary is or may become due or payable.

(2) The Board shall, in respect to each subscriber, contribute to the Fund by weekly instalments a sum equal to the percentage of each subscriber's salary as is set out in the table hereunder:—

| Where the subscriber's age next birthday after "date of commencement" is | The percentage of salary to be contributed by the Board shall be— % |
|--|--|
| 63 | 22 |
| 62 | 16 |
| 61 | 12 |
| 60 | 9 |
| 59 | 7 |
| 58 and under | 5 |

Provided that the Board's liability to contribute a higher percentage than 5 per cent. shall be restricted to subscribers who are employees at the date of commencement.

(3) For the purpose of these regulations the date of a contribution to the Fund shall be deemed to be the day when the payment of salary from which such contribution is deducted became due, although such payment of salary may not in fact be made until a later date.

(4) Notwithstanding anything to the contrary contained elsewhere in this regulation, whenever a subscriber, having been granted leave of absence from his employment for the purpose, either by reason of enlistment or being called up, is engaged on war service continuously during the time of war, the following provisions shall apply, namely:—

- (a) his liability to contribute as a subscriber under this regulation shall be suspended whilst he is so engaged in such war service;
- (b) subject, as in this subparagraph hereinafter provided, the Board shall continue to make its contributions under this regulation in respect of such subscriber:

Provided that the liability of the Board under this subparagraph shall cease upon the happening of any of the following events:—

- (i) the death of the subscriber during the period of his war service;
- (ii) the incapacitation of the subscriber during the period of his war service to an extent or in a manner which renders him physically or mentally unfit to resume his employment under the Board, upon his discharge from war service; or
- (iii) the failure of the subscriber to report to the Board for resumption of his duty as an employee within such period of time as the Board considers reasonable, after his discharge from war service.

- (c) wherever the terms "time of war," "war," and "war service" are used in this paragraph, such terms shall have the same meanings respectively as they have when used in the Commonwealth Defence Act as amended from time to time.
- (d) All expenditure incurred by the Board under this paragraph shall be charged to the administration costs of the Board.

Investments.

Reg. 66
amended by
G.G.
20/11/57,
p. 3397.

66. (1) All moneys constituting the Fund, notwithstanding that the same have been credited to the respective accounts of the separate subscribers, may be treated as one fund for the purpose of investment, and may be invested by the Board in any securities which are or may be prescribed by any Act or Acts of the Parliament of Western Australia then in force relating to investments by trustees, but the Board shall not be responsible for any loss resulting from any such investment.

(2) All revenue derived from the investment of money constituting the Fund, less any expenses incurred, shall, at the end of each accounting period be credited to the respective accounts of the separate subscribers in the proportion that the amount standing to the credit of each subscriber bears to the total at credit of all the subscribers at the close of the previous accounting period.

Payments.

67. The Board shall decide upon all claims upon the Fund.

Reg. 68
amended by
G.G.
20/11/57,
p. 3397.

68. (1) Subject to the exceptions hereinafter provided, a subscriber upon his retirement, or his legal personal representative, upon his death, shall receive the total amount standing at credit to his account at the date of his retirement or decease.

Provided that—

- (a) if a subscriber not totally incapable of performing his duties by reason of ill-health or physical or mental incapacity, retires from the Board's service after having subscribed to the Fund for a period of less than ten years, or retires for the purpose of engaging in other employment, he shall receive his own contributions only, with interest at 3 per cent. per annum, calculated in yearly rests;
- (b) if a subscriber, not totally incapable of performing his duties by reason of ill-health or physical or mental incapacity, nor intending to enter other employment, retires after having subscribed for a period of at least ten years to the Fund, but before reaching the age of 50 years, he shall receive from the Fund, for each completed year during which he subscribed thereto, a sum equal to one-twentieth of the total amount standing at credit in his account, but not exceeding in the aggregate such total amount. In the event, however, of a subscriber entering other employment, after having received the amount to which he became entitled in accordance with this paragraph, he shall repay to the Fund an amount equal to the excess (if any) of the sum so received over that payable under paragraph (a) of this regulation. If such excess, after demand, remains unpaid, it may be recovered in a Court of petty sessions as a civil debt, recoverable summarily, or in any Court of competent jurisdiction;
- (c) notwithstanding the limitations in paragraphs (a) and (b) hereof, the Board may, at its discretion, increase the amount payable thereunder to a sum not exceeding the full amount standing at credit in the account of any subscriber to which such paragraphs apply;
- (d) in the event of the dismissal of a subscriber, or of his retirement in order to escape dismissal, he shall be entitled to receive from the Fund only a sum equal to the amount of his contribution thereto;

- (e) (i) In the event of a subscriber committing a breach of trust or other wrongful act by reason of which the Board suffers or may suffer pecuniary loss, the Board shall have full power to use the amount standing at credit to such subscriber's account for the purpose of making good any such loss.
- (ii) Where, as a result of the aforesaid breach of trust or other wrongful act, the subscriber is dismissed or retires in order to escape dismissal, he shall, notwithstanding anything to the contrary contained elsewhere in this regulation, be entitled to receive from the Fund only a sum equal to the balance (if any) of his contribution thereto after deducting the amount of the loss.
- (f) Any balance standing at credit in any subscriber's accounts after payments to him under paragraphs (a), (b), (c), (d) or (e) have been made, shall remain in the Fund and be credited to the accounts of the remaining subscribers, at the end of the accounting period then current in the same proportion as that referred to in paragraph (2) of regulation 66 hereof.

(2) Notwithstanding anything to the contrary contained elsewhere in this regulation, where a subscriber dies or retires during the currency of any accounting period the share of profits to be credited to him from the date of the last apportionment to the date of his death or retirement shall be calculated at the rate of three pounds per centum per annum on the lowest monthly balance of such subscriber's account.

69. Notwithstanding anything contained in regulation 68 hereof, on the death before reaching 65 years of age of a subscriber whose age next birthday after the date of commencement is 59 years or over, and if such deceased subscriber leaves a dependant or dependants, the Board shall from its own funds pay directly to such dependant or dependants a sum equal to the amount by which the said subscriber's total credit to his account is less than £200:

Provided that—

- (a) for the purpose of this regulation a dependant shall mean only the deceased subscriber's widow or any child under 16 years of age;
- (b) where there are two or more dependants as aforesaid, the Board shall apportion the additional payment between them in such proportions as it thinks fit.

70. Except as provided in regulation 68 hereof, any benefits derivable from the Fund shall not be in any way assigned or charged or passed by operation of law to any person other than the subscriber or beneficiary.

71. Any sum due or payable to any subscriber under these regulations shall be paid only if the cash is available for the purpose; until paid, however such sum shall carry interest at the rate of three pounds per centum per annum on the lowest monthly balance of such subscriber's account.

Accounts.

72. (1) A bank account or accounts, in the name of the Fund, shall be opened by the Board at a savings bank or other bank.

(2) All moneys received on behalf of the Fund from any source whatsoever shall be forthwith paid into the said account or accounts.

(3) All payments on behalf of the Fund shall be made out of the account or accounts, by means of a withdrawal form or cheque (as the case may require), drawn against the account or accounts and signed by any two of the following officers of the Board:—Secretary, accountant, chief clerk, senior clerk.

Reg. 72
amended by
G.G. 31/8/55,
p. 2077.

73. (1) The Board shall keep separate ledger accounts in the respective names of all the subscribers to the Fund, to which shall be credited in separate columns the contributions of each subscriber, the contributions by the Board on his behalf, and his share of the profits as set out in paragraph (2) of regulation 66 hereof.

(2) The Board shall keep separate books of account, in which shall be recorded the financial transactions of the Fund.

Reg. 74
amended by
G.G.
20/11/57,
p. 3397.

74. (1) At the end of each accounting period a statement of receipts and payments and a balance sheet of the Fund shall be drawn up and printed in the Board's annual report.

(2) Each subscriber shall be entitled to receive annually a statement of the amount standing to his credit at the end of the last preceding accounting period.

Audit.

75. The accounts of all moneys received and disbursed by the Board on behalf of the Fund shall be audited once at least in every year by the Auditor General, who shall have, in respect to such accounts, all the powers conferred on him by any law now or hereafter to be in force relating to the audit of the public accounts.

Notices.

76. (1) Notices to subscribers may be given by the Board through its secretary to such subscribers personally, or by sending the same through the post in prepaid letters addressed to the respective subscribers at the last known address of each or to the fire station where each is stationed.

(2) Any notice sent by post shall be deemed to have been served on the day following the day on which the envelope or wrapping containing the same is posted, and in proving such service it shall be sufficient to prove that the envelope or wrapper containing the notice was properly addressed and put in the post office.

Variation of Rates of Contribution or Payments from Fund.

77. (1) The Board shall not recommend to the Governor any alteration or amendment of the rate of contribution by subscribers or of the payments from the Fund on retirement, dismissal or death, as prescribed in these regulations, unless two-thirds in number of the subscribers to the Fund vote in favour of such alteration or amendment.

(2) Express notice in writing of any such proposed alteration or amendment shall be given by the Board to every subscriber.

(3) For the purpose of taking the votes of the subscribers on any such proposed alteration or amendment, the Board shall cause to be given or sent to every subscriber a voting paper containing a statement of the proposed alteration or amendment and two alternative votes, as follows:—

- (a) One vote for the proposed alteration (or amendment);
- (b) one vote against the proposed alteration (or amendment);

and setting forth the date for the closing of the poll.

(4) The date for the closing of the poll shall be not more than one month and not less than fourteen days after the day when the voting paper is despatched or given by the Board to the subscriber.

(5) The subscriber, when voting, shall strike out on the voting paper the alternative vote which he does not desire to make so that the voting paper will indicate by such striking out the vote of the subscriber.

(6) After indicating his vote in the manner provided in paragraph 5 hereof, the subscriber shall return the voting paper to the Board so that it shall be in the hands of the Board before the time fixed for the closing of the poll.

(7) After the time fixed for the closing of the poll, the votes of the subscribers shall be counted by the chairman, at a duly convened meeting of the Board and in the presence of the members

of the Board present at the meeting, and in the presence of two persons to be appointed by the Minister as scrutineers for the purpose of such count.

(8) The result of the poll shall be certified in writing under the hand of the chairman of the Board, countersigned by the scrutineers, and shall be retained in safe keeping by the Secretary of the Board.

(9) The Board may do such other acts and things and adopt such other measures and steps in connection with the taking of a vote of the subscribers under this regulation as they may deem necessary to insure that only subscribers vote and that only voting papers issued by the Board are used in connection with the vote:

Provided that no such acts or things, measures or steps, shall in any way interfere with the secrecy of the vote or be inconsistent with or repugnant to any of the provisions of this regulation.

Winding-up and Distribution.

78. With the consent of the Governor in Council the Board may at any time wind-up and distribute the Fund by paying to each subscriber, subject to the provisions hereof, the amount standing at credit in his account, and thereupon the Fund shall cease to exist, and regulations contained in this Part shall be deemed to be cancelled and to have no effect whatsoever, except for the purpose of determining any right or title or exercising any power or discretion for the time being necessary to be determined or exercised for the purpose of winding-up and distributing the Fund:

Provided always, that in any case at least six months' previous notice in writing shall be given to each subscriber of the intention to wind-up and distribute the Fund.

Part V.—Long Service Leave.

Suspension.

79. Except as hereinafter provided, no long service leave shall be granted or paid for under these regulations during the continuance of the war in which His Majesty is engaged at the date of these regulations coming into operation, or while similar leave is suspended in the State Government's Service, whichever of the said periods shall be the longest.

Purpose.

80. (a) Long service leave shall be granted solely for recuperative purposes.

(b) No employee shall undertake during long service leave, without the consent of the Board, any form of employment for hire or reward. Any contravention of this condition shall render the employee liable to dismissal.

Continuous Service.

81. (a) Subject to these regulations, long service leave shall be credited to full-time employees on the basis of continuous service, which term means service with the Board without a break after having attained the age of eighteen years.

(b) Continuous service shall not include the period during which an employee is on long service leave, or any period exceeding one month during which an employee has leave (other than for enlistment) without pay.

(c) The period during which an employee is granted leave of absence on enlistment for war service shall count as continuous service.

Qualifying Periods.

82. (a) Employees who at the date of commencement of these regulations have given ten or more years' continuous service shall be credited with a first period of three months' long service leave as at the date of such commencement.

Reg. 82
amended by
G.G. 8/2/46,
p. 145.

(b) Employees who at the date of commencement have not given ten years' continuous service shall be credited with a first period of three months' long service leave on the day after such commencement when they shall have completed ten years' continuous service.

(c) Employees referred to in paragraphs (a) and (b) hereof shall be credited with a further period of three months' long service leave for an additional consecutive period of ten years' continuous service and to a further three months' long service leave for each additional consecutive period of seven years' continuous service.

(d) Every employee who commences employment after the date of the commencement of these regulations shall be credited with a period of three months' long service leave for and on the completion of each of the consecutive periods of continuous service as follows: For the first and next succeeding period of ten years, and thereafter for each period of seven years.

Granting of Leave.

83. (a) The day on which an employee shall commence his long service leave shall be solely at the convenience of the Board: Provided that the Board shall, as far as possible, and having regard to the relief available and other factors, grant such leave in the order of priority of length of continuous service.

(b) Wherever possible not less than one month's notice shall be given to an employee of the date on which his long service leave shall commence.

Public Holidays.

84. Any public holidays occurring during the period in which an employee is on long service leave shall be calculated as portion of the long service leave, and extra days in lieu thereof shall not be granted.

Sickness or Accident.

85. (a) Any period during long service leave in which an employee is sick, or disabled through an accident, will be calculated as portion of the long service leave, and extra days in lieu thereof shall not be granted.

(b) Where an employee is sick or disabled through an accident on the day he should have resumed duty after long service leave, he shall, subject to the production of a medical certificate, be treated as absent on sick leave as from such date.

Accumulation.

86. (a) Employees over the age of fifty-five years may, by written application addressed to the Chief Officer, apply for permission to accumulate two periods of long service leave.

(b) Such applications shall be submitted as early as possible, and shall not be considered unless reasonable notice is given.

Payment for Leave Credited as Due.

87. (1) During the present war, referred to in regulation 79—

(a) an employee who retires at the age of sixty-five or over, or who retires on account of incapacity due to old age, or through ill-health, or the result of an accident, shall be paid for long service leave as credited due to him;

(b) an employee who resigns other than for the reasons specified in the preceding paragraph (a) shall not be entitled to payment for any long service leave unless and until he produces authority under the National Security Regulations to change his occupation or leave the Board's service;

(c) an employee who is dismissed, or who resigns in order to escape dismissal, shall not be entitled to payment for any long service leave credited as due to him.

(2) After conclusion of present war, referred to in regulation 79—

- (a) an employee may, on commencing long service leave, be paid his salary or wages in advance, at his permanent classified rate of pay, for a period equivalent to the leave taken;
- (b) an employee who retires at the age of sixty, or at any time thereafter up to the age of sixty-five or over, or who retires on account of incapacity due to old age, or through ill-health, or the result of an accident, shall be paid for long service leave as credited due to him;
- (c) an employee who resigns other than to escape dismissal, shall be paid for any long service leave credited as due to him;
- (d) an employee who is dismissed, or who resigns in order to escape dismissal, shall be entitled to payment for any long service leave credited as due to him prior to the date of the offence for which he was dismissed or resigned in order to escape dismissal.

Pro rata Leave on Retirement.

88. Where an employee retires or is retired under the circumstances mentioned in paragraph 1 (a) or paragraph 2 (b) of regulation 87, and has served continuously for at least twelve months next before such retirement, such employee shall be paid (in addition to any complete periods of long service leave credited as due to him) for *pro rata* long service leave to the date of retirement:

Provided that, where the employee has any complete period of long service leave credited as due to him, he shall, if required so to do by the Board, take such complete period of long service leave before he reaches the date due for his retirement, and thereafter such employee shall be entitled under this regulation to payment only of *pro rata* long service leave equivalent in respect to that service in relation to which he has not been credited with a complete period of long service leave.

88A. Subject to the provisions of regulation 88, any employee who is retired for any reason other than misconduct or unsatisfactory service or a female employee who resigns on her marriage and who has served continuously for at least three years next before retirement shall be paid for long service leave *pro rata* to the date of retirement.

Reg. 88A
inserted by
G.G. 8/2/48,
p. 145.

Payment on Death of an Employee.

89. (a) Where a deceased employee does not leave a dependant or dependants, payment for long service leave as credited due to him shall be made to the deceased employee's estate.

(b) Where a deceased employee does leave a dependant or dependants, payment for long service leave as credited due to him shall be made to the dependant or dependants.

(c) In addition, where a deceased employee does leave a dependant or dependants, and he had served continuously for at least twelve months next before his death payment for *pro rata* long service leave to the date of death shall be made to the dependant or dependants.

(d) For the purpose of these regulations a dependant shall mean the deceased employee's widow or children, mother or invalid sister who were dependent upon him.

(e) Where there are two or more dependants as aforesaid, the Board may distribute the payment for long service leave in such manner as it thinks fit.

Board's Superannuation Contributions.

90. Notwithstanding anything contained in Part IV. of these regulations, the Board shall not be liable to contribute for superannuation benefits in respect of long service leave lump sum payments made on the death, resignation, retirement, or dismissal of an employee.

Deductions Through Pay Sheets.

91. Where payment for long service leave is made in a lump sum covering a specific period, the usual weekly deductions from the employee's salary or wages (such as for superannuation, assurance, taxation, etc.,) shall be deducted therefrom in a lump sum to cover a similar period.

Apportionment Over Two Years.

92. Notwithstanding anything contained in this Part of these regulations, the Board may apportion the amount of a payment for long service leave due, into two payments, in cases where two different years are involved.

Register of Long Service Leave.

93. (a) The secretary of the Board shall keep a register, in which shall be entered the names of employees and details of their continuous service; also the date when each period of long service leave is credited as due, and when each such period is taken out or paid for, as the case may be.

(b) On the 1st day of October in each year the secretary of the Board shall forward to the respective stations a list showing the long service leave credited as due to the employees attached to each station, and the officer in charge shall circulate such list to each employee.

Heading
amended by
G.G. 8/2/46,
p. 144.

Part VI.—Permanent Fire Brigades and Provisions Relating to
Employees of the Board.
Ranks and Classes.

94. Until otherwise determined by the Board, the brigade shall consist of officers of the following ranks:—(i)—Chief Officer; (ii)—Deputy Chief Officer; (iii)—Third Officer; (iv)—District Officer; (v)—Inspecting Officer; (vi)—Station Officer; (vii)—Electrical Engineer; (viii)—Mechanical Engineer; (ix)—Assistant Engineer; and of firemen of the following classes:—(a)—Probationers; (b)—Third-class firemen; (c)—Second-class firemen; (d)—First-class firemen; (e)—Senior firemen.

Appointments.

95. A candidate for appointment to the brigade must—

- (a) be a British subject;
- (b) be not under 21 nor over 30 years of age (unless he possesses special qualifications, in which case the age limit may be extended to 32 years);
- (c) be not less than 5 ft. 7 in. in height and 37 in. natural chest measurement;
- (d) be free from disease or defect in limb, hearing or sight, and not subject to fits;
- (e) be generally intelligent, and capable of acquiring instruction;
- (f) produce satisfactory testimonials as to character;
- (g) produce a birth certificate or other satisfactory proof of age.

Provided that any condition prescribed by this regulation may be waived at the discretion of the Board.

96. Applications for appointment must be made in person, and each applicant must write his own application, and state his age, occupation, height, chest measurement, and whether married or single.

97. Every approved candidate will be required to undergo a strict medical examination by the Board's medical officer as to physical fitness before being appointed to the service.

98. All candidates for appointment, before signing on, are required to read the Rules and Regulations of the Board, and to sign the declaration hereunder:—"I hereby state that I have read the Rules and Regulations of the Board, and undertake to serve under same."

99. Eligible candidates when finally approved shall be accepted as members of the brigade on probation.

100. All appointments or engagements made by the Board may be cancelled or annulled without any reason being assigned: Provided that, excepting in the case of a dismissal under these regulations, not less than one week's pay shall be granted in lieu of notice.

100A. (1) An employee of the Board shall, when so required by, and at the expense of, the Board, submit himself for examination by the Government District Medical Officer who may, however, engage the services of consultants if, in his opinion, the case so requires.

Added by
G.G. 16/4/64,
p. 1935.

(2) The services of an employee certified by the Government District Medical Officer to be physically unfit for further service may be terminated by the Board.

(3) An employee who fails, when required by the Board, to submit himself for examination, is guilty of an act of misconduct and his services may be terminated by the Board.

Promotions.

101. Firemen shall automatically progress from third-class to second-class, and from second-class to first-class, after one year's satisfactory service in the third and second class respectively.

102. Above the rank of first-class, promotion shall not necessarily be by seniority.

103. No first-class fireman shall be promoted to a higher grade unless he has (a), served at least two years at first-class rank; (b), passed an examination in the practical working of fire brigade appliances; (c), satisfied examiners appointed by the Board that he is qualified to take charge at fires and drills, and is able to instruct firemen in the practical working of fire appliances.

104. When a vacancy occurs in a rank higher than first-class, applications shall be invited by the Chief Officer from qualified men in the classes below that in which the vacancy occurs, and, all things being equal, a selection shall be made from such applicants for the vacancy.

Reg. 104
amended by
G.G. 25/11/49,
p. 3015.

105. The Chief Officer shall—

- (a) perform the duties, and where necessary exercise the powers imposed and conferred on him by the Act and these regulations;
- (b) be responsible to the Board for the proper control of all brigades;
- (c) be responsible for the maintenance and efficient use of the Board's property;
- (d) be responsible for the fire prevention activities of brigades;
- (e) hold a weekly conference with the three senior headquarters officers, and a monthly conference with all metropolitan district officers;
- (f) convey his instructions to the officer in charge of any station who will be responsible for giving effect thereto;
- (g) inspect each metropolitan station every second month, and make such country inspection visits as the Board may approve;

Reg. 105
substituted
by
G.G. 8/2/46,
p. 145.

- (h) confer with the Secretary in regard to matters that many concern or affect the Board's policy or administration, and submit to him such reports and comments thereon as may be required;
- (i) generally carry out, or cause to be carried out, all orders and directions of the Board.

Reg. 106
substituted
by
G.G. 8/2/46,
p. 145.

106. The Deputy Chief Officer shall—

- (a) become acquainted with the duties of the position of Chief Officer and act as Chief Officer when that officer is absent;
- (b) assist the Chief Officer generally;
- (c) be the officer in charge of headquarters fire station;
- (d) confer with the Secretary when required;
- (e) inspect each metropolitan station every second month (alternatively to the Chief Officer), and make such country inspection visits as the Board may approve.

Reg. 107
substituted
by
G.G. 8/2/46,
p. 145;
G.G. 1/9/50,
p. 2035.

107. The First Officer shall—

- (a) become acquainted with the duties of the position of Deputy Chief Officer and act as Deputy Chief Officer when that officer is absent;
- (b) perform such duties as the Board or the Chief Officer may from time to time assign to him.

Reg. 108
substituted
by
G.G. 8/2/46,
p. 145,
G.G. 1/9/50,
p. 2036,
amended by
G.G. 24/4/53,
p. 739.

108. (1) A Senior Officer attached to headquarters (Second Officer, Third Officer, Fourth Officer, Inspecting Officer or District Officer) shall—

- (a) reside as may be directed;
- (b) attend fires and take control until the arrival of an officer of higher rank;
- (c) perform such duties as the Board and the Chief Officer may from time to time assign to him;

(2) A Senior Officer attached to a station other than headquarters (Second Officer, Third Officer, Fourth Officer, Inspecting Officer or District Officer) shall—

- (a) have charge of such district as may be assigned to him and reside as may be directed;
- (b) attend fires and take control until the arrival of an officer of higher rank;
- (c) make, check and transmit reports and requisitions concerning his district;
- (d) be responsible for the proper working of his district and the maintenance of discipline;
- (e) perform such other duties in his district as the Board and the Chief Officer may from time to time assign to him.

Reg. 109
substituted
by
G.G. 8/2/46,
p. 146,
G.G. 1/9/50,
p. 2036.

109. An Inspecting Officer (Country Volunteer Brigades) shall—

- (a) inspect from time to time, as determined by the Board, all registered country brigades;
- (b) inspect the Board's buildings and other property situate in country fire districts;
- (c) perform such fire prevention and other duties in country fire districts as the Board and the Chief Officer may direct, or as he in his discretion may deem necessary;
- (d) submit to the Board, through the Chief Officer and the Secretary, reports on all matters arising from his inspection visits;
- (e) confer with the Chief Officer and the Secretary in regard to any matter that may be required by either officer;

- (f) prepare quarterly itineraries of proposed visits, and submit copies to the Chief Officer and the Secretary;
- (g) peruse all correspondence and requisitions, etc., which concern country fire districts.

Station Officer.

110. A Station Officer, or any other officer in charge of a station shall generally carry out such duties as may from time to time be assigned to him by the Chief Officer, but more particularly he shall—

- (a) reside, when required, at any station to which he may be appointed, and take charge of the station and any other property belonging to the Board, or under its care;
- (b) attend fires and take control until the arrival of a senior officer;
- (c) see that all calls for chimneys on fire are immediately attended to, and that stops for the same or grass fires are sent to the other stations to save any unnecessary turning out of engines;
- (d) report himself immediately upon arrival at a fire to the senior officer present; he shall not work independently of any officer of the brigade;
- (e) ascertain as soon as possible, if he be the first officer to arrive at a fire, the nature and extent of the fire; he shall send information to headquarters, or the nearest fire station, so that it may be communicated to the Chief Officer;
- (f) within forty-eight hours of a fire or alarm of fire furnish the prescribed fire report form, duly completed, to the Chief Officer. The names and respective ranks of firemen present thereat must be recorded on the back of the form;
- (g) requisition for all apparatus, plant, stores, repairs, etc., that may be required at his station;
- (h) make himself conversant with any dangers of a special nature such as timber yards, large buildings, and buildings in which especially hazardous goods are stored; he shall make note of the locality of powder magazines, stores of inflammable liquid, and the like;
- (i) make inspections in his district with a view to enforcing regulations 228 and 229 which require that premises, yards and vacant land be kept free of inflammable matter, and forthwith report any breaches to the Chief Officer;
- (j) be solely responsible for the discipline, control, and management of his station; his judgment and discretion shall be left practically unfettered in order that there may be no limit to his responsibility in the execution of the duties entrusted to him.

Special Services Inspectors.

110A. The Board may appoint Special Services Inspectors to special service and fire prevention duty and those Inspectors shall be responsible to the Chief Officer for the inspection of buildings and the submission of reports and recommendations thereon.

Reg. 110A
inserted by
G.G. 24/4/53,
p. 739,
substituted
by
G.G. 19/7/56,
p. 1786.
G.G. 23/6/64,
p. 2497.

Electrical Engineer.

111. The Electrical Engineer shall—

- (a) under the Chief Officer have charge of the electrical department of the brigade, and be responsible for the proper working of the telephones, electric motors, electric light, and other electrical appliances and material;

- (b) keep an account of the time occupied on any work by the men under him, and the cost of the material used in its execution;
- (c) be responsible that the material supplied to him be used economically, and for the purpose for which it was issued;
- (d) furnish requisitions for materials, stating for what purpose they are required, and the probable cost;
- (e) instruct men attending the workshops for electrical work in the care and management of telephones, fire alarms, batteries, and other electrical appliances;
- (f) at a fire, as far as possible, attend to the safety of the firemen from electric tramway trolley wires and electric light cables or wires, or any other electrical installations which may appear to him to imperil the safety of the firemen, or hinder them in their work;
- (g) at a fire require the electric current to be shut off from any source, or cut any wires, if necessary, without awaiting orders.

Mechanical Engineer.

112. The Mechanical Engineer shall—

- (a) under the Chief Officer have charge of the workshops of the brigade and be responsible that the machinery and tools be kept in good order;
- (b) keep an account of the time occupied by the men under him on any work, and the cost of the material used in its execution;
- (c) be responsible that the material supplied is used economically, and for the purpose for which it was issued;
- (d) furnish requisitions for materials, stating for what purpose they are required, and the probable cost;
- (e) instruct men attending the workshop in the use of the various tools, and in the care and management of motor fire engines;
- (f) at fires see that the engines are working satisfactorily, and that they are duly supplied with fuel, and, as far as possible, sufficient water.

Assistant Engineer.

113. An Assistant Engineer shall assist the Engineer in his duties, and take charge of the engineering department in the absence of the Engineer.

Brigade Boot Officer.

113A. The Brigade Boot Officer shall—

- (a) under the Secretary have charge of the boot and leather workshops and be responsible for keeping in good order the machinery and tools;
- (b) keep an account of the time occupied by the men under him engaged on any work, and the cost of material used in its execution;
- (c) furnish requisitions for materials, stating the probable cost of same;
- (d) be responsible for using the material supplied economically and for the purpose of its issue;
- (e) submit such reports as may from time to time be required.

Probationers.

114. Every probationer shall serve a term of two months on probation and may, on the expiration of such term, and on the recommendation of the Chief Officer, be appointed by the Board to the class of third-class fireman;

Reg. 113A
inserted by
G.G. 4/5/51,
p. 1232.

Provided that on such appointment his service as a fireman shall be deemed to commence from the date of his appointment as a probationer.

Third-class Firemen.

115. Third-class firemen shall receive such instruction and perform such duties as the Chief Officer may from time to time direct.

Second-class Firemen.

116. Second-class firemen shall be conversant with the details of a fireman's ordinary duties, and be proficient in drills.

First-class Firemen.

117. First-class firemen shall—

- (a) be competent to describe the various apparatus in the brigade;
- (b) have a knowledge of internal combustion engines;
- (c) be able to instruct a class in elementary drills.

Senior Firemen.

118 Senior firemen shall perform such duties as the Chief Officer may from time to time direct.

General Duties.

119. All officers and firemen shall render immediate obedience to all lawful orders from their senior officers, and must conform to all rules and regulations which have been made or may be made from time to time in the brigade orders.

120. Roll-call shall be at 7 a.m., 8 a.m., 1 p.m., and 6 p.m., and at such other times as the Chief Officer may direct.

121. Firemen shall be held responsible to the officer in charge of the Station that the apartments, bedding, and furniture are kept clean and in good order at all times, and ready for inspection at 10 a.m. each day. Firemen shall be held responsible for any wilful damage during occupancy, of such quarters.

122. Every officer and fireman must serve wherever the Chief Officer may direct, and attend all fire calls while on duty.

[Reg. 122A repealed by G.G. 12/11/54, p. 1901.]

Reg. 122A
inserted by
G.G. 4/5/51,
p. 1232,
repealed by
G.G.
12/11/54,
p. 1901.

123. The general duties of officers and firemen shall be as defined from time to time by resolution of the Board, and shall be conveyed to those concerned by the Chief Officer.

Transfers.

123A. A fireman who is—

- (a) recruited on the Goldfields and who has served at Kalgoorlie or Boulder or both for a period of five years; or
- (b) recruited elsewhere than on the Goldfields and who has served at Kalgoorlie or Boulder or both for a period of two years,

Reg. 123A
inserted by
G.G.
12/11/54,
p. 1901.

may apply for a transfer and the Board shall give consideration to the transfer within twelve months of the receipt of the application.

Uniforms.

124. The uniform of the brigade shall consist of a tunic, undress jacket, woollen sweater for winter, light coat for station work, trousers, peak cap, boots, flap cap, helmet, axe, hose and nozzle spanner, belt and two pouches, or as may be otherwise determined from time to time by the Board.

125. Uniform shall be worn at all times when on duty. At fires every officer and fireman must appear in full uniform. When on duty other than at fires officers and firemen shall wear such uniform as the Chief Officer may direct.

126. All articles of uniform issued are and shall remain the property of the Board.

127. If an officer or fireman leaving the service fails to return any of the Board's property in proper order, allowing for fair wear and tear, the Board may deduct from any moneys due to him such sum as will indemnify the Board against loss.

Leave.

128. Officers shall receive such sick, annual and other leave (other than long service leave) as may be determined by resolution of the Board from time to time.

129. Firemen shall receive such sick, annual and other leave (other than long service leave) as determined by an industrial award or agreement: Provided that further sick leave, with or without pay, may be granted at the discretion of the Board.

130. Medical certificates shall be furnished as to an officer's or fireman's fitness or otherwise for duty on application for sick leave, and before resuming duty. Provided that the Chief Officer may dispense with certificates in cases where the sick leave does not exceed one day.

131. The Board or the Chief Officer may, for sufficient reason, defer any or all leave.

Accidents.

132. Any officer or fireman who has established a claim under the Workers' Compensation Act, 1912-1941, and any amendments thereof, by reason of personal injury by accident arising out of or in the course of his employment shall be entitled to leave of absence from duty, and shall receive during the period of incapacity such sum weekly as shall, together with any weekly amount received as compensation, including child allowance (if any), under the Workers' Compensation Act, 1912-1941,¹ and any amendments thereof, be equal to the amount of his weekly wages:

Provided that—

- (a) such payments shall not be made for more than thirteen weeks, except by resolution of the Board;
- (b) such payments shall not be continued after the services of any officer or fireman have been terminated;
- (c) such payments for a period not exceeding thirteen weeks shall not be deducted from any payments made under the second schedule of the above Act;
- (d) leave granted under this regulation shall not be counted against sick leave.

Offences.

133. No officer or fireman shall—

- (a) accept or engage in any employment for reward other than in connection with his duties: Provided that the foregoing shall not prevent any officer or fireman from—
 - (i) becoming a member or shareholder only of any incorporated company, or of any company or society of persons registered under any Statute;
 - (ii) holding any office in any society founded under the law relating to friendly societies;
- (b) accept any money, gifts or addresses, for services rendered at a fire, without permission of the Board;
- (c) supply information to the Press;
- (d) take orders at fires from citizens;
- (e) wear his uniform off duty, unless when proceeding to or from duty;

Reg. 132
amended by
G.G. 24/3/44,
p. 271.

¹ Now Workers' Compensation Act, 1912-1964.

- (f) absent himself while on duty from a station to which he is attached, without permission of the officer in charge;
- (g) indulge in gambling in or about the premises of a station;
- (h) take or cause to be taken any intoxicating liquors into the premises of a station without the consent of the Chief Officer;
- (i) otherwise conduct himself in a manner whereby the discipline, good order, or reputation of the brigade may be imperilled.

134. Any person appointed by the Board as an officer, fireman, administrative or other employee, who—

Reg. 134
substituted
by
G.G. 8/2/46,
p. 146.

- (a) commits any breach of the Fire Brigades Act, 1942, or of any of the regulations made thereunder; or
- (b) is negligent or careless in the discharge of his duties; or
- (c) is inefficient or incompetent through causes which appear to be within his own control; or
- (d) consumes intoxicants or drugs to excess; or
- (e) is guilty of disgraceful or improper conduct either in his official capacity or otherwise; or
- (f) wilfully disobeys or disregards any lawful order or instruction given or issued by any person having authority to make, give or issue such order or instruction; or
- (g) has wilfully supplied to the Board or any person representing the Board, incorrect or misleading information in connection with his appointment to employment by the Board,

shall be guilty of an offence, and shall be liable to such punishment as is determined upon under the provisions of these regulations.

135. (1) The President may, if he has reason to believe that an employee has committed an offence, make a charge against the employee, and if he considers that the offence is of such a nature that the employee should not continue in the performance of his duty, suspend the employee without pay. Suspension may be effected prior to or at any time of or subsequently to the making of the charge and may be removed at any time by the President pending determination of the charge, or, in any case when the charge is not sustained, immediately upon the promulgation of the finding to that effect.

Reg. 135
substituted
by
G.G. 8/2/46,
p. 146,
amended by
G.G. 17/6/49,
p. 1324.

(2) Without limiting the powers of the President as mentioned in the next preceding subsection, the Chief Officer may exercise similar powers but in respect of officers and firemen only.

(3) Upon a charge being made against an employee, it shall be recorded in writing and a copy shall be handed to him forthwith together with a notice directing him to reply forthwith in writing, stating whether he admits or denies the truth of the charge and giving any explanation he desires in regard thereto. If a reply is not received within seven days of service of the copy of the charge upon him he shall be deemed to deny the truth of the charge.

(4) Every charge shall be the subject of an inquiry by the Board.

Provided that the President may direct that in any case where a charge is made against an officer or fireman an inquiry shall be held by the Chief Officer in lieu of the Board and in such case the Chief Officer shall act accordingly.

(5) The employee charged shall be furnished with copies of all documents intended to be used at the inquiry and written notice of the time and place at which the inquiry will be held at least seven days before the commencement thereof.

(6) The inquiry shall be held within at least 28 days of the service of the charge on the employee.

(7) The Board or the Chief Officer as the case may be, upon being satisfied that the offence charged has been committed by the employee may do any one or more of the following:—

- (i) Caution the employee.
- (ii) Fine him any sum not exceeding the sum of ten pounds.
- (iii) Reduce him in rank, class or status.
- (iv) Transfer him to a district other than that in which the offence was committed.
- (v) Dismiss him from employment.

(8) An employee who has been charged with an offence which has not been sustained shall be—

- (i) paid the reasonable expenses of conducting his case, such expenses to be fixed by the presiding authority hearing the inquiry; and
- (ii) if suspended pending determination of the charge, reinstated in his employment and if suspended without pay, paid the amount of remuneration he would but for such suspension have received as such employee.

(9) The Chief Officer shall report to the Board in writing on every inquiry held by him forthwith on the completion thereof.

Reg. 136
substituted
by
G.G. 8/2/46,
p. 147.

136. Any officer or fireman, a charge against whom has been the subject of an inquiry by the Chief Officer, may, by notice stating the grounds thereof in writing served on the Board within seven days of the promulgation of the finding, appeal therefrom to the Board.

Reg. 137
substituted
by
G.G. 8/2/46,
p. 147.

137. (1) Any employee, a charge against whom has been the subject of an inquiry by the Board under regulation 135, subregulation 4, or an appeal under regulation 136, may by notice stating the grounds thereof in writing served on the Board within seven days of the promulgation of the finding on such inquiry or appeal, as the case may be, appeal to the Appeal Board.

(2) The Appeal Board shall consist of a chairman and two members as follows:—

- (a) The chairman shall be appointed to the office by the Board and shall be a Stipendiary Magistrate, but if a Stipendiary Magistrate is unable or unwilling to act, the Chairman shall be a person who shall have the qualifications requisite for appointment as a Stipendiary Magistrate under the Stipendiary Magistrates Act, 1930.
- (b) One member shall be nominated by the association or trade union, of which the appellant employee is a member or in the event of such employee not being a member of any association or trade union by reason of his employment being such that there is not available to him membership in any association or trade union then and in such case one member shall be nominated by the appellant employee; and
- (c) One member shall be nominated by the Board.

(3) The Board shall pay to the Chairman and the members of the Appeal Board such fees as shall be agreed.

Reg. 138
substituted
by
G.G. 8/2/46,
p. 147,
amended by
G.G. 24/4/53,
p. 739.

138. In the case of appeals brought under regulations 136 and 137 the following provisions shall apply—

- (a) The Board or the Appeal Board, as the case may be, shall appoint a time for the determination of the appeal.
- (b) The time appointed shall be within 28 days of the receipt of the notice of appeal by the Board.
- (c) The parties to the appeal shall be given at least seven days' prior notice in writing of the time so appointed.

- (d) The Board or the Appeal Board, as the case may be, may affirm, vary or annul the finding, the subject matter of appeal, or may make and promulgate, in lieu thereof, such finding as shall in the circumstances of the case be deemed fit.
- (e) The Board or the Appeal Board may fix and award to the appellant reasonable expenses of conducting his case.
- (f) Appeal may be brought on the grounds of innocence of the Charge or excessive severity of punishment.

139. The following provisions shall apply in respect of any inquiry under regulation 135, subregulation 4, or the proviso thereto or of any appeal under regulations 136 or 137—

Reg. 139
substituted
by
G.G. 8/2/46,
p. 147,
amended by
G.G. 17/6/49,
p. 1324,
G.G. 22/7/49,
p. 1523.

- (1) The employee concerned—
 - (a) may be represented by an advocate from the association or trade union of which he is a member, but if such advocate shall refuse to act, or in the event of such employee not being a member of any association or trade union, by reason of his employment being such that there is not available to him membership in any association or trade union, then and in such case he may be represented by any person of whom the presiding authority shall approve.
 - (b) shall at the direction of the presiding authority submit himself to examination-in-chief, cross examination and re-examination orally on oath or affirmation.
- (2) The Board shall—
 - (a) cause the proceedings to be recorded;
 - (b) at the written request of the employee concerned, furnish him with a copy of such record within four days of the conclusion of such proceedings.
- (3) the proceedings shall be heard in private or in public as the presiding authority shall direct;
- (4) subject to the provisions of these regulations, and the directions from time to time of the Chairman of the Appeal Board, procedure as to matters preliminary to and on the hearing of—
 - (a) any inquiry—
 - (i) by the Board under subregulation 4 of regulation 135; or
 - (ii) by the Chief Officer under the proviso to sub-regulation 4 of regulation 135; or
 - (b) any appeal—
 - (i) to the Board under regulation 136; or
 - (ii) to the Appeal Board under regulation 137

shall as nearly as practicable, and with the requisite adaption thereof, follow the appropriate procedure provided for in Justices Act, 1902-1942,¹ relating to (c) simple offences; and (d) appeals, respectively.
- (5) The Secretary to the Board or some person to be nominated by the President shall be authorised to carry out all clerical duties as clerk to the presiding authority in all matters of procedure preliminary to and at the hearing of any such inquiry or appeal.

¹ Now Justices Act, 1902-1964.

Brigade District.

Reg. 160
amended by
G.G. 28/9/60,
p. 2984.

160. (a) The district within which each registered brigade shall be liable to do duty shall be that portion that is within the boundary of the fire district in which the brigade is established.

(b) Such fire district shall be known and designated as the brigade district under the name of the said fire district.

(c) A brigade may, at the discretion of the senior officer available at the time, be permitted on request to attend a fire outside its fire district, provided that sufficient officers and members and apparatus and plant are retained for adequate protection of that fire district.

Observance of Regulations.

161. Every officer and member shall conform to the regulations made, or which may hereafter be made, for the management of the various fire brigades, and shall be subject to the duties, conditions and penalties named therein. All allowances may, at the discretion of the Board, be subject to stoppage or absolute forfeiture in the event of wilful violation of the regulations.

Brigade Rules.

162. Each brigade may have its own rules of internal and general working, which shall in all cases be subject to the approval of the Board. All proposed alterations or additions shall be submitted to the Board for approval or otherwise. No rule shall be contrary to these regulations.

Qualification of Membership.

Reg. 163
amended by
G.G. 19/7/56,
p. 1786,
G.G. 28/9/60,
p. 2984.

163. No person shall be registered on the roll of any brigade unless he is—

- (a) in good health, and sound in body and mind;
- (b) of good moral character and habits;
- (c) over the age of 17 years, and not over the age of 45 years: Provided that the Board may, in special cases, consent to the enrolment of a person outside this age group.

Persons Not Eligible for Membership.

164. No person shall, unless with the consent of the Board, be eligible for re-election to any brigade, who has been dismissed or struck off the roll of any brigade for misconduct, or for persistent neglect to attend fires or practices, or for want of interest generally in his duty as an officer or member, or for any cause which, in the opinion of the Board, would disqualify him for membership.

Retiring Age of Members.

Reg. 165
amended by
G.G. 28/9/60,
p. 2984.

165. No officer or member over the age of 65 years shall be allowed to remain on the registered roll of any brigade unless under special circumstances, and with the approval of the Board.

New Active Members.

Reg. 166
amended by
G.G. 28/9/60,
p. 2984.

166. (a) In each case of persons desiring to join, after a brigade has been registered by the Board, if the candidate complies with the requirements set forth in regulation 163, and the brigade approves of him, the name and particulars of such candidate shall be submitted to the Board, in such form as the Board may from time to time direct, for approval or otherwise.

(b) No person shall be recognised as an officer or member of any brigade until his name has been approved by the Board, and registered on the roll of such brigade by the Board.

(c) The Board may require a certificate from the captain of the brigade that due regard has been paid to the distribution of the membership over the area in which property has to be protected.

(d) Every officer and member shall, unless the Board otherwise determines, reside or, in the case of an officer or member of a country brigade, have his place of employment, within easy hearing of the calling device, and the service of the officer or member must be reasonably available as required.

New Reserve Members.

167. In addition to the complement of registered active members, brigades may elect reserve members, subject to the approval and registration by the Board. As vacancies in the ranks of registered active members occur, the places should be filled, as far as practicable, from the reserve.

Leave of Absence.

168. Officers and members desirous of obtaining leave of absence shall apply for same in writing to their brigade, and in the event of such leave being sought for a longer period than one month, the applications shall be forwarded to the Board with the brigade's recommendation.

Transfer of Members.

169. Officers and members may be transferred from one brigade to another: Provided the complement of the latter permits of such transfer, on production of a certificate of good character and discharge from their former brigade and with the approval of the Board.

Resignations.

170. Officers and members desiring to retire from the membership of their brigade shall send in their resignation in writing to the Board through the brigade.

Members may be Struck Off the Roll.

171. Any officer or member who, without leave or sufficient excuse—

- (a) fails to keep himself effective pursuant to the provisions of paragraph (e) of regulation 184 of these regulations; or
- (b) fails to attend a reasonable number of fire calls and alarms of fire and hydrant inspections as required by the Board,

shall be liable to be struck off the register by the Board.

Reg. 171
substituted
by
G.G. 28/9/60,
p. 2984.

Election of Officers.

172. (a) Every brigade shall meet during the first week in December in each year, and elect by ballot the complement of officers specified in subregulation (1) of regulation 158 of these regulations.

(b) Each officer elected shall be a registered active member of his brigade.

(c) Officers shall hold office for the term of one year from and including the first day of January next ensuing the annual election.

(d) In the event of an officer resigning or being removed from office, or ceasing to be a member of the brigade during the year, the brigade shall forthwith in meeting fill the vacancy by ballot. The officer elected shall hold office until the ensuing thirty-first day of December.

(e) Brigades may make their own rules or resolutions with regard to the date and method of nominating for the position of officers.

(f) Secretaries of brigades shall, within seven days of such elections report to the Board the result thereof.

Reg. 172
amended by
G.G. 28/9/60,
p. 2984.

Conduct of Members.

173. Officers and members of brigades shall in their intercourse with each other, official or social, observe a courteous demeanour, and officers and members addressing each other shall do so in a respectful manner.

174. While on duty at fires, practices, drills, or parades, the greatest degree of silence compatible with a proper discharge of duty shall be observed, and members shall address officers by their official titles.

175. Officers and members of brigades shall be deemed to be on duty at all times when in uniform; and at fires, alarms of fire, practices, drills, parades or brigade meetings, etc., whether in uniform or plain clothes.

Offences, Punishments and Appeals.

Reg. 176
amended by
G.G. 28/9/60,
p. 2984.

176. (a) The Chief Officer may, on his own initiative or on receipt of a complaint in writing, suspend any officer or member of a brigade.

(b) Any officer or member of a brigade who may be deemed to be guilty of disobedience of orders, insubordination, conduct subversive of discipline, intoxication, abusive or obscene language, or other unseemly conduct when on duty shall within twenty-four hours be reported to the Chief Officer, in writing, by the captain or senior officer, who may suspend such officer or member from duty pending an inquiry or until the Chief Officer at his discretion cancels such suspension. Officers below the rank of captain shall forward their reports in such cases to the captain for transmission to the Chief Officer.

177. The Chief Officer shall be empowered to inquire into all offences contrary to the good order and discipline of the brigade, and take such action as he may consider necessary to meet the case.

178. The Chief Officer shall report all offences and penalties for same to the Board at its next meeting after the offence has been dealt with.

179. Any member may, in writing, appeal to the Board against any penalty inflicted by the Chief Officer, and the Board may affirm, annul, or vary such penalty.

Duties of Officers and Members.

Captain.

Reg. 180
amended by
G.G. 28/9/60,
p. 2984.

180. The Captain shall—

- (a) enforce discipline and the regulations of the Board;
- (b) take command at fires in the absence of any permanent officer of the Board;
- (c) take command at all brigade practices, drills, and parades;
- (d) be empowered to suspend any officer or member, as provided for in regulation 176 (b);
- (e) see that the officers and members, or any persons employed, do their duty faithfully;
- (f) see that all apparatus, plant, and buildings belonging to the Board or in charge of the brigade are kept clean and in good condition and repair;
- (g) cause regular monthly hydrant inspections to be made within the fire district of the brigade and ensure that details of defective hydrants are reported immediately to the Chief Officer;
- (h) see that a proper audited statement of receipts and payments, together with the bank passbook or bank statement, is presented at each monthly meeting of the brigade;
- (i) inspect brigade uniforms, and report to the Chief Officer thereon; as provided for in regulation 204;
- (j) act in any matter if a senior officer of the Board is not present;
- (k) see that effect is given to the provisions of regulation 192 (1), relative to demonstrations and competitions.

Foreman.

181. The Foreman shall—

- (a) act with and be under the direction of the captain;
- (b) perform the duties of the captain in his absence;
- (c) where a station-keeper is not provided, take charge of all apparatus and plant and be responsible for its cleanliness, and the good order of the fire station;
- (d) immediately report any defects in the apparatus and plant and buildings to the captain.

Apparatus Officer.

182. The Apparatus Officer shall—

- (a) be subject to the senior officers of the brigade;
- (b) assist the foreman in his duties;
- (c) perform the duties of foreman in his absence.

Secretary.

183. The Secretary shall—

- (a) subject to the control of the Board, have charge of all books, papers, and other documents of the Board that may be in the custody of the brigade;
- (b) attend promptly to all communications received from the Chief Officer or secretary of the Board;
- (c) promptly communicate the directions of the captain or the brigade;
- (d) keep a file containing all inwards correspondence, and copies of all outward official correspondence and requisitions;
- (e) attend all meetings of the brigade and record the minutes thereof;
- (f) issue a receipt, and at the same time make a duplicate by means of carbon paper from the receipt book provided by the Board for that purpose, for all moneys received by or on behalf of the brigade; and be held responsible for all moneys of the Board which may be remitted to the brigade, and deal with brigade funds as provided for in regulation 209.
- (g) (1) At each and every monthly meeting of the brigade—
 - (a) submit a proper income and expenditure account for the month then next preceding the meeting, in a form to be prescribed from time to time by the Board, together with the cash book, the bank pass book written up to date by the bank, the cheque book, vouchers, duplicate receipt books and other documents of the brigade relevant to the said account and necessary to check and verify the same;
 - (b) answer all questions which may be put to him at the meeting relating to the funds and finances of the brigade: Provided that, if in the opinion of the meeting the said account, or the brigade books and documents as submitted therewith, or any answer given by the secretary, is or are unsatisfactory, as indicating some breach of duty on the part of the secretary, the chairman of the meeting shall forthwith report to the secretary of the Board in writing the matters which are deemed to be unsatisfactory as aforesaid;
 - (c) produce all other brigade books and correspondence.

- (2) As and when so requested by the secretary of the Board, prepare and submit a financial statement relating to the funds and finances of the brigade in respect of such period and in respect of such matters as may be required by the secretary of the Board, and together therewith produce to him for inspection such books, vouchers, receipts, and other documents of the brigade as may be relevant to such account and necessary for the purpose of checking and verifying the same.
- (3) Produce the brigade books and correspondence to the captain of the brigade or to any officer of the Board, as and whenever requested so to do by such captain or officer.
- (h) perform to the satisfaction of the Board and the brigade all such duties as may be imposed upon him by the regulations, the Board, or the brigade;
- (i) be under the general direction of the secretary of the Board in all matters relating to office routine and management;
- (j) be liable to suspension, removal, or dismissal by the Board;
- (k) on his retirement from office, furnish to the Board all returns to the end of the term for which he held office, and hand to his successor all moneys, books, correspondence, or other documents which are the property of the Board;
- (l) furnish to the Board, within the times specified the following returns, forms, and reports:—

Returns Forms and Reports to be Furnished.

Applications for registration of new active and reserve members; applications for transfer; applications for leave of absence; resignations of members; requisitions—immediately after being dealt with by the brigade.

Receipts for uniforms issued—immediately after issue.

Invoices for goods supplied or services rendered—immediately after being certified correct.

Reports of fires—within forty-eight (48) hours of the fire.

Reports of election of officers—within seven days of the election.

Return of attendances at fires, practices and hydrant inspections; statement of petty cash expenditure and supporting invoices—within seven days of each quarter ending 31st March, 30th June, 30th September, and 31st December.

Annual return of board and brigade property—on 30th September in each year.

- (m) keep the following books and records, which are and shall remain the property of the Board, viz:—
 - (i) Register of Members' Book—in which shall be entered in ink the full name of every registered active and reserve member, together with his age, birthplace, occupation, residence, brigade rank, dates of admission to and leaving the brigade, dates of election to and ceasing to be an officer, dates of transfer from active to reserve list and vice versa, dates granted long service awards, and any other relevant information.

- (ii) Register of Fires Book—in which shall be entered in ink full particulars of all fires and alarms of fire, together with the names and respective ranks of members in attendance.
- (iii) Minute Book—in which shall be entered in ink the names of officers and members attending each meeting, and the minutes of resolutions and proceedings thereat.
- (iv) Attendances Book—in which shall be entered in ink the dates of, and the names and respective ranks of members attending, all practices, drills, hydrant inspections, competitions and demonstrations.
- (v) Property Book—in which shall be entered in ink details of all property, showing in separate parts the respective property belonging to the Board and the brigade (including trophies).
- (vi) Cash Book—in which shall be entered in ink details of all brigade receipts and payments, as provided for in regulation 209.
- (vii) Reference File—which shall contain all regulations, the manual book, and general and special circulars issued by the Board.

Active Members.

184. Active members shall—

- (a) upon an alarm of fire proceed promptly with the apparatus and plant to the fire, and immediately on arrival report themselves to the senior officer present;
- (b) perform such duties at fires as may be required of them;
- (c) remain on duty until relieved by orders, which shall be given only by the officer in command;
- (d) where the brigade has no Station-keeper, keep the apparatus and plant and buildings clean and in good order;
- (e) make themselves effective by attending during each half-year not less than two-thirds of the monthly practices and drills held by the brigade in that period.
- (f) attend all brigade meetings unless excused, but attendances at meetings shall not be counted towards the attendances required for effectiveness.

Reg. 184
amended by
G.G. 28/9/60,
p. 2984.

Reserve Members.

185. (1) Reserve members shall—

- (a) make themselves efficient in the use of fire extinguishing apparatus and plant;
- (b) attend fires;
- (c) make themselves effective as set forth in regulation 184 (e).

Reg. 185
amended by
G.G. 2/8/46,
p. 940,
G.G. 28/9/60,
p. 2985.

(2) Reserve members may attend brigade meetings and take part in the discussions, but they shall not have the right to vote on motions submitted to the meeting.

Station-keeper.

186. Where the Board appoints a Station-keeper he shall—

- (a) reside at the fire station if practicable;
- (b) be under the direction of the senior officer present for the time being;
- (c) attend to and be responsible for the cleanliness, good order and condition of the fire station and the fire extinguishing apparatus and plant belonging to the Board or in charge of the brigade;

- (d) receive such remuneration as the Board may determine;
- (e) be liable to suspension, removal, or dismissal by the Board.

Duties at Fires.

Reg. 187
amended by
G.G. 28/9/60,
p. 2985.

187. At fires the senior officer present shall take command until the arrival of his senior. The brigade's duties shall be deemed not to be completed until the fire is properly and effectually extinguished. Officers and members who have been issued with uniforms must on turning out to fires or alarms of fire wear such uniforms when they can do so without causing undue delay in attending.

Roll Call at Fires.

188. On return from a fire or alarm of fire, the officer in command shall cause the roll to be called, and see that full details of same are recorded as provided for in regulation 183 (m), sub-clause (ii). He may exempt officers and members from returning to the fire station for roll call, and may call the roll at the place of the fire or alarm of fire.

Reports of Fires.

189. A report, in the prescribed form, of all fires and alarms of fire, signed by the officer in command, shall be furnished to the Board within forty-eight (48) hours of the fire or alarm of fire. The names and respective ranks of officers and members present thereat shall be recorded on the back of such fire report form.

Accidents.

Reg. 190
amended by
G.G. 18/8/44,
p. 705,
G.G.
28/12/51,
p. 3486.

190. Any officer or member of a volunteer fire brigade, or any auxiliary fireman who has established a claim with the Board's insurers as if he were a "worker" under the Workers' Compensation Act, 1912-1941,¹ and any amendments thereof, by reason of personal injury by accident, arising out of or in the course of his employment shall be entitled to leave of absence from duty, and shall receive, during the period of incapacity, such sum weekly as shall, together with any weekly payment by way of compensation, including child allowance (if any), payable by the Board's insurers as if he were a "worker" under the Workers' Compensation Act, 1912-1941,¹ and any amendments thereof, be equal to his weekly wages, but not exceeding the sum of six pounds per week:

Provided that—

- (a) such payments shall not be made for more than thirteen weeks, except by resolution of the Board;
- (b) such payments shall not be continued after the services of any officer or members of a volunteer fire brigade or any auxiliary fireman have been terminated;
- (c) such payments, for a period not exceeding thirteen weeks, shall not be deducted from any payments made under the Second Schedule of the above Act.

Practices.

191. (1) The members of each brigade shall be practised in the duties at engine, reel, or other drill at least once each calendar month, under the supervision of their officers, and at such other times as the Board, Chief Officer, or captain may direct.

(2) A recognised practice shall mean practical work in fire extinction or other drill, for at least three-quarters of an hour.

(3) Each brigade may appoint its own dates for practices. Moonlight nights should be selected when practicable, and during the winter months or in inclement weather brigades may hold their practices or drills indoors.

Demonstrations and Competitions.

Reg. 192
G.G. 19/7/56,
p. 1786.

192. (1) Brigades shall not at any time attend fire brigades' demonstrations or competitions outside a radius of five miles from their head station without leaving a sufficient number of effective registered members within their respective districts. No

¹ Now Workers' Compensation Act, 1912-1964.

portion of the apparatus and plant (with the exception of a competition reel and apparatus) shall be taken to a demonstration or competition without the written consent of the Board. Captains shall be responsible for the observance of this regulation.

(2) The Board may by resolution authorise such expenditure or make such grants as it considers necessary or expedient for the successful conduct of demonstrations and competitions, and, in particular, for all or any of the following purposes, viz.:—

- (a) the transportation of volunteer firemen and their apparatus or plant;
- (b) the purchase of trophies for competition by volunteer fire brigades and firemen, and the allocation of the cost thereof;
- (c) the entertainment of volunteer firemen, and visiting officials and brigades;
- (d) any other matter incidental to the conducting of demonstrations and competitions.

(3) (a) Subject to the provisions of paragraphs (b) and (c) of this subregulation, the Board may by resolution from time to time make grants of money to one or more volunteer fire brigades whom it selects as approved representatives of the State for the purpose of attending demonstrations or competitions outside the State. [G.G. 19/7/56, p. 1786.]

(b) If a volunteer fire brigade is so selected by the Board, the Board may make a grant to it of a sum of money not exceeding fifty pounds (£50).

(c) If a volunteer fire brigade not so selected makes application for a grant of money to attend demonstrations or competitions outside the State, and if such application is approved by the Board, the Board may make a grant to it of a sum of money not exceeding twenty-five pounds (£25). Provided the Board shall not approve of such a grant to more than two volunteer fire brigades attending the same demonstration or competition.

(4) All expenditure incurred by the Board under this regulation shall be charged in the first instance to demonstration costs, and thereafter shall be dealt with in the following manner, namely:—

- (a) Expenditure incurred in connection with the conducting of the annual Volunteer Fire Brigades' Demonstration shall be apportioned equally between all registered volunteer fire brigades, and when so apportioned, shall be charged against the fire district accordingly;
- (b) Expenditure incurred by the Board in connection with fire brigades attending inter-district competitions shall be charged against the fire district of the brigade in relation to which the expenditure was incurred;
- (c) Expenditure incurred by the Board by way of grant to a fire brigade or fire brigades attending demonstrations or competitions outside Western Australia shall be charged against the fire district of the brigade to which the grant was made.

Uniforms.

193. (1) The uniform supplied by the Board for registered officers and active members shall consist of a coat with arm badge, cap, belt and spanner; but registered officers and active members may provide their own summer uniform shirt of a style and pattern approved by the Board, and shall, when on duty, wear that shirt in lieu of the coat only if and when directed by the Board. Reg. 193 substituted by G.G. 19/2/58, p. 307, amended by G.G. 28/9/60, p. 2985.

(2) Rank insignia and cap badges for officers shall be as follows—

Captain—Double Scale Brass Shoulder Epaulettes to be worn on coat, and Captain's Cap Badge.

Foreman—Single Scale Brass Shoulder Epaulettes to be worn on coat, and Foreman's Cap Badge.

Apparatus Officer—Apparatus Officer's Cap Badge only.

Secretary—Secretary's Cap Badge only.

194. Uniforms shall not be issued to reserve members, unless the Board otherwise determines.

195. The uniform and equipment shall remain the property of the Board.

196. Officers and members shall provide their own trousers, which should be of dark blue serge with a strip of scarlet braid five-eighths of an inch wide covering the outside seam, and shall not be more than 20 inches wide over the instep.

197. Officers and members shall use reasonable care in keeping uniforms clean and in good order.

198. Officers and members shall not lend a uniform or any part of it to any person not in the service.

199. Flowers shall not be worn in coats and tan boots shall not be worn.

200. Officers and members shall not at any time appear dressed partly in uniform and partly in plain clothes, except in cases of emergency at fires.

201. Full uniforms shall be worn at inspections made by the Chief Officer, or any other officer deputed for that purpose by the Board or Chief Officer.

Reg. 202
amended by
G.G. 28/9/60,
p. 2985.

202. Long service awards shall be worn on the right breast of uniform coat, as follows:—

- (a) the 7 years' badge;
- (b) the 10 years' badge shall be worn three-quarters of an inch below the 7 years' badge;
- (c) the 15 years' medal with ribbon supersedes the 7 years' and 10 years' badges, in which case the latter two awards shall not be worn;
- (d) where badges and chrome bars for 20, 25, 30, 35, 40, 45 or 50 years' service have been issued, only the chrome bar for the longest service shall be worn on the ribbon of the 15 years' medal. Long service badges issued for 20, 25, 30, 35, 40, 45 or 50 years' service may be worn on the recipient's civilian dress.

203. Members qualified in ambulance work shall wear their ambulance badge on the left arm.

204. Captains shall inspect all uniforms and equipment on issue during the months of May and November in each year, and forthwith report to the Chief Officer on the condition thereof. Requisitions for new issues or replacements shall reach the Chief Officer not later than the 30th day of November.

205. Brigade secretaries shall obtain a receipt on the form provided for all issues of uniform and equipment to members. One copy of the receipt shall forthwith be sent to the secretary of the Board and the other retained for brigade record purposes.

Reg. 206
amended by
G.G. 2/8/46,
p. 940,
substituted
by
G.G. 28/9/60,
p. 2985.

206. (1) A member with not less than five years' service as a captain under the Board, and not less than fifteen years' service in all, shall be entitled to retain his Double Scale Brass Shoulder Epaulettes to be worn on coat, and to wear an ex-captain's badge on cap.

(2) Service as a reserve member shall not be counted as service for the purpose of subregulation (1) of this regulation.

(3) The Board may at its discretion withhold the privileges of this regulation if the applicant has at any time been adjudged guilty of an offence against the Board's regulations.

207. Subject to regulation 206, officers and members shall return uniforms and equipment to the Chief Officer or captain, on being requested in writing to do so. If an officer or member fails to comply within seven days of the transmission to him of such request, the brigade shall be liable to a penalty not exceeding £5, and shall, in addition to the penalty named, be further liable for and shall pay the cost of any article not returned.

Long Service Awards.

208 (1) Officers and members of volunteer brigades who have efficiently served in one or more brigades in Western Australia are entitled to awards as follows:—

- (a) for 7 and 10 years' service, a long service badge;
- (b) for 15 years' service, a long service medal with ribbon;
- (c) for 20, 25, 30, 35, 40, 45 and 50 years' service, a long service badge and chrome bar.

Reg. 208
amended by
G.G. 2/8/46,
p. 940,
G.G. 17/8/51,
p. 2253,
substituted
by
G.G. 28/9/60,
p. 2986.

(2) For the purposes of this regulation—

- (a) periods of service as an executive officer of the Western Australian Volunteer Fire Brigades Association shall count as service to qualify for awards;
- (b) periods of service as an officer or member of a volunteer fire brigade in a State other than Western Australia, notwithstanding the provisions of subregulation (1) of this regulation, shall at the discretion of the Board upon production to it of such evidence of that service as it may require, count as service to qualify for awards;
- (c) periods of service as a reserve member shall not count as service to qualify for awards, unless under special circumstances and with the approval of the Board.

(3) Upon an officer or member becoming eligible for an award under this regulation, he shall furnish to the Board an application in the prescribed form showing full particulars of service and certified by the captain and the secretary of the brigade, or the president and the secretary of the Association, as the case may require.

Brigade Funds.

209. (a) All moneys received by or on behalf of a brigade from any source whatsoever shall be paid into an account in the name of the brigade, to be kept at a savings bank or other bank.

Reg. 209
amended by
G.G. 8/2/46,
p. 148.

(b) All payments by or on behalf of the brigade shall be made out of such account by means of withdrawal form or cheque (as the case may require) drawn against such account, and signed by the secretary and captain and one other member of the brigade. Each account of £1 and over owing by the brigade shall be paid by separate cheque, and only in the case of accounts under £1 shall one cheque be drawn to pay several accounts in cash.

(c) All such receipts and payments shall be recorded in the brigade cash book, as provided for in regulation 183 (m), subclause (vi).

(d) The auditors and secretary shall certify to the correctness of the brigade's funds by signing the certificate incorporated in the quarterly return form to be rendered to the Board.

(e) (i) Each brigade shall appoint two persons (other than the Secretary) to be auditors of the brigade's funds, and shall constantly keep such positions filled.

(ii) The said auditors shall from time to time examine all entries made in the brigade books by the Secretary; and prior to the brigade's monthly meeting check the Secretary's income and expenditure account from the cash book, and the duplicate receipts issued for income and the invoices and vouchers for payment, and verify the balance shown as cash in bank from the bank pass book; and report in writing to the said monthly meeting the result of their audit of the brigade's accounts.

Petty Cash.

210. (a) The Board may advance each brigade an amount not exceeding £1 on any one occasion for the purpose of purchasing minor supplies, and defraying the cost of minor repairs and services.

(b) A requisition shall not be necessary in such cases, but, where practicable invoices shall be obtained for each item of expenditure, and certified as correct.

(c) At the close of each quarter ending 31st March, 30th June, 30th September, and 31st December, the petty cash expenditure form shall be completed, and, together with the supporting invoices, forwarded within seven days to the secretary of the Board.

(d) All expenditure under this regulation shall be subject to the approval of the Board, who may disallow any or all of it.

Gratuities and Allowances.

Reg. 211
amended by
G.G. 28/9/60,
p. 2986.

211. (a) The Board may pay a gratuity, not exceeding in any one case the sum of fifty pounds, to any member of a brigade or to any other person, in respect of voluntary or special services rendered by such member or person aforesaid in connection with the extinction of fires or saving of life or property at fires or for special services rendered to any brigade.

(b) The Board may, whenever it shall think fit, pay to any volunteer fire brigade for special services rendered at a fire, an allowance of an amount, to be determined by the Board, but not exceeding any one case the sum of fifty pounds.

(c) The Board may, whenever it shall think fit, pay to any volunteer fire brigade for its services in fire prevention and fire protection, and in keeping the brigade an efficient force by regular attendances of members at drills, practices and hydrant inspections, an allowance of an amount to be determined by the Board, but not exceeding in any one case the sum of two hundred and fifty pounds in any year.

(d) The Board may, in respect of Volunteer Fire Brigades registered after the 31st day of December, 1955, subsidise those Brigades on a £1 for £1 basis to enable competition equipment to be obtained, provided that the total amount paid by the Board to any one Brigade by way of such subsidy does not exceed the sum of one hundred and fifty pounds.

Requisitions, Purchase Orders and Invoices.

212. (1) Apparatus, plant, supplies and repairs required by any brigade shall, subject to regulations 210 and 213, be requisitioned for to the Chief Officer. Requisitions shall be sent in only on the authority of a properly constituted meeting of the brigade.

(2) The Chief Officer shall submit all requisitions, with his recommendations thereon, to the next ensuing meeting of the Board.

(3) The secretary of the Board shall send to the secretary of the brigade a purchase order (in duplicate) for all requirements approved by the Board.

(4) The secretary of the brigade shall send the original purchase order to the tradesman, and retain the duplicate for reference purposes.

(5) On the order being satisfactorily completed by the tradesman, the secretary of the brigade shall send the invoice to the Board after inserting thereon the purchase order number, and his signature, and the name of the brigade under the words "Certified Correct".

Urgent Repairs.

213. Urgent repairs to the Board's property may be effected by the brigade without requisition, provided the cost does not exceed two pounds. Where the repairs will involve a larger expenditure, a requisition shall be made under regulation 212 (1).

Brigade Property and Trophies.

Reg. 214
substituted
by
G.G. 28/9/60,
p. 2986.

214. (1) Any property belonging to a brigade and which has been acquired by subscription, or trophies won, shall vest in two trustees, of whom one shall be appointed by the Board and the other by the brigade.

(2) A brigade shall notify the Board of the name of the trustee appointed by it under subregulation (1) of this regulation, and shall also notify the Board of any change of trustee.

(3) A brigade may with the consent of the trustees dispose of such of the property belonging to it as the trustees determine.

Part VIII.—Private Fire Brigades.

Registration.

215. A private fire brigade may be registered by the Board, subject to the person on whose property the brigade is to operate making written application to the Board and undertaking to give effect to the following conditions, viz.:—

(i) to reimburse the Board all expenditure and costs of any nature whatsoever incurred by the Board in connection with the brigade;

(ii) to pay to the Board annually the sum of five pounds for the Board's administration of the brigade.

Demonstration and Competitions.

216. The Board may permit registered private fire brigades to compete in volunteer fire brigades Demonstrations and Competitions.

Regulations applicable to.

217. The regulations contained in Part VII. hereof relating to volunteer fire brigades shall, as far as is possible, be applicable to registered private fire brigades.

Suspension or Termination.

218. The Board may at any time suspend or terminate the registration of a private fire brigade.

Part IX.—Miscellaneous.

Fires Outside District.

219. Whenever occasion requires any portion of a brigade or any of its officers or firemen or apparatus and plant may be directed to proceed or be taken beyond the limits of any district, and from one district to another for the purpose of attending fires.

Fires within Provisions of Section 44.

220. In the event of any brigade attending a fire in premises or property to which the provisions of section 44 are applicable, the owner, and, in the case of a vessel, the master and/or agents, shall be liable to pay to the Board an amount, to be determined by the Board, but not exceeding the following maximum scale of fees and charges:—

| | £ | s. | d. |
|--|----|----|----|
| For the Chief Officer, for first hour | 2 | 2 | 0 |
| For the Chief Officer, per hour for each succeeding hour | 1 | 1 | 0 |
| For any other officer in charge, for first hour | 1 | 1 | 0 |
| For any other officer in charge, per hour for each succeeding hour | 10 | 6 | |
| For each officer and member of a brigade and turncock, for the first hour | 7 | 6 | |
| For each officer and member of a brigade and turncock, per hour for each succeeding hour | 5 | 0 | |
| For wages for each extra man engaged by the Chief Officer, for each hour | 5 | 0 | |
| For use of each motor fire engine | 10 | 0 | 0 |
| For use of each motor hose carriage | 2 | 10 | 0 |
| For use of each hand hose reel | 2 | 10 | 0 |
| For the use of hose, and cleaning and drying the hose, each 100 feet | 10 | 0 | |

221. [Regulation 221 revoked by G.G. 12/6/59, p. 1517.]

222. [Regulation 222 revoked by G.G. 12/6/59, p. 1517.]

223. [Regulation 223 revoked by G.G. 12/6/59, p. 1517.]

224. [Regulation 224 revoked by G.G. 12/6/59, p. 1517.]

225. [Regulation 225 revoked by G.G. 12/6/59, p. 1517.]

Certain Places of Entertainment must have Direct Telephonic communication with a Fire Brigade Station.

226. (a) Every owner and/or occupier of any theatre, building, or place in which any entertainment is given and in connection with which scenery is used, or any exhibition of animated pictures is

given, and situate within a fire district shall, on direction to that effect being given in writing by or on behalf of the Board, forthwith effect direct telephonic communication with a fire brigade station; Provided that application may be made to the Board for exemption from the provisions of this regulation, and the Board may grant such exemption subject to such terms and conditions as it may deem fit, in cases where it considers that direct telephonic communication with a fire brigade station is not necessary.

(b) The Board may at any time withdraw such exemption.

(c) The position of the alarm and the number of points in the theatre, building, or other place shall be as directed by the Board from time to time.

Fire Alarms on Private Premises.

227. The Board is hereby authorised to make such provision as it considers proper for the inspection and maintenance of fire alarms installed on private premises, and for that purpose to enter into an agreement with any owner or occupier to inspect and maintain any fire alarm, on payment by such owner or occupier of an annual fee of £2 2s., or such other sum as may be from time to time prescribed, and on such other terms as may be mutually agreed on between the Board and any such owner or occupier.

Inflammable Matter.

228. No person shall, on the roof, in the basement, or in any other part of any building, or in any light area, or in close proximity to any building in any fire district to which the Act applies, store any inflammable matter of such nature and in such manner, position, or quantity as may be or cause or be likely to become either directly or indirectly a danger by fire to life or property:

Provided that this regulation shall not apply to the storage of any inflammable matter which is stored in a manner prescribed or permitted by law.

229. (a) The owner and/or occupier of any yard or vacant land situate in any fire district to which the Act applies shall cause such yard or vacant land to be kept at all times free of inflammable matter (including trees, crops, grasses, and weeds) of any nature or quantity which may be, or cause, or be likely to become, either directly or indirectly, a danger by fire to life or property.

(b) For the purposes of this regulation:—

“Owner” means the person for the time being receiving or entitled to receive the rents and profits of land, whether on his own account or as agent, trustee, or attorney for another person or who, if the land were let to a tenant at a rent, would be entitled to receive the rent as aforesaid.

“Occupier” means the inhabitant occupier of any land or, if there is no inhabitant occupier, the person entitled to possession thereof.

“Person” includes any body of persons corporate or unincorporate.

230. [*Regulation 230 revoked by G.G. 28/9/60 p. 2986.*]

Return and Declaration of Contribution Numerator.

231. (1) The annual return of, and declaration verifying, the contribution numerator of an insurance company, pursuant to section 39 of the Fire Brigades Act, 1942, shall be in the form set out in the Third Appendix to these regulations.

(2) The declaration prescribed by this regulation shall be made by the manager, secretary or agent of the insurance company or other officer performing those duties and, where under the provisions of section 39 (5) of the Fire Brigades Act, 1942, a person is constituted an insurance company, the declaration shall be made by that person.

Reg. 231
added by
G.G. 19/2/64,
p. 678.

First Appendix.

Part I.

WESTERN AUSTRALIAN FIRE BRIGADES BOARD.

Issue of Debenture of £.....

No.....

1. In consideration of the (hereinafter called "the Bank") having agreed to allow the Western Australian Fire Brigades Board (hereinafter called "the Board") to overdraw its account with the Bank to an amount not exceeding £....., the Board hereby undertakes that it will on demand pay to the Bank all such sums as are now or shall from time to time hereafter become owing to the Bank from the Board on the balance of its current account with the Bank whether in respect of moneys advanced or paid to or for the use of the Board or charges incurred on its own account or in respect of negotiable instruments drawn, accepted, or indorsed by or on behalf of the Board and discounted or paid or held by the Bank either at the Board's request or in the course of business or otherwise or in respect of moneys which the Board shall become liable to pay to the Bank in any manner whatsoever and whether any such moneys shall be paid to or incurred on behalf of the Board alone or jointly with any other person or corporation together with the usual interest, commission, and lawful Bank charges.

2. The Board will in the meantime until such demand pay to the Bank interest for the balance for the time being owing by the Board to the Bank at the rate of £..... per centum per annum by equal half-yearly payments on every..... day of and day of in each year. The first of such payments to be made on the day of

3. The Board hereby charges with such payments its property and revenue, whether accrued or to accrue.

4. The principal moneys hereby secured shall become immediately repayable on demand being made by the Bank.

5. The Board may at any time give notice in writing to the Bank of its intention to pay off the said debenture, and at the expiration of one calendar month from the time of such notice being given the principal moneys hereby secured shall become payable.

6. At any time after the Board has made default in payment of the principal moneys hereby secured the Bank may proceed to exercise its powers under section 46, subsection (8), of the Fire Brigades Act, 1942, and its amendments.

Part II.

MEMORANDUM of Agreement made the day of one thousand nine hundred and between the Western Australian Fire Brigades Board (hereinafter called "the Board"), of the one part, and (hereinafter called "the Bank"), of the other part.

Whereas the Board has for the purpose of its business a current account with the Bank:

And whereas the Board has applied to the Bank to allow it to overdraw such account to an amount not exceeding £..... which the Bank has agreed to do upon delivery by the Board to the Bank of a debenture in the annexed form duly executed to secure such overdraft for the time being:

Now therefore it is agreed and declared as follows:—

1. The said debenture is a standing security with the Bank for payment of the final balance on the said current account including therein all usual and accustomed banker's charges and commissions together with interest on such final balance until payment at the current bank rate of interest ruling from time to time.

2. For the purposes hereof the final balance aforesaid means such sums as upon the closing at any time of the current account of the Board by either party shall be found due thereunder to the Bank and accordingly payments to the credit of the account so long as the same shall be current shall not be deemed to be made in or towards discharge of the said debenture.

3. The Board hereby declares that there is no mortgage or charge upon its property having priority to or ranking *pari passu* with the said debenture (save and except as the case may be), and the Board will not at any time during the continuance of this security create any mortgage or charge ranking or which can by any means be made to rank in priority to or *pari passu* with the said debenture (save as aforesaid).

In witness whereof the Common Seals of the parties were hereunto affixed the day and year first before written.

Second
Appendix
amended by
G.G. 1/4/60,
p. 981.

Second Appendix.

Part 1.

NOMINATION PAPER FOR USE BY INSURANCE COMPANIES.

I.....acting for and on behalf of the
(insert name and official position)

.....Insurance Company hereby
nominate the following candidates for election as members of the
Western Australian Fire Brigades Board to represent the Insurance
Companies in accordance with the provisions of the Fire Brigades
Act, 1942.

.....
.....
.....

(insert description of candidates)

.....
(signature of proposer)

I consent to this nomination

.....
.....
.....
(signature of candidates)

Part 2.

NOMINATION PAPER FOR USE BY LOCAL AUTHORITIES.

THE Council of the Municipality of.....hereby
Board Road District

nominates.....as a
(insert description of candidate)

candidate for election as a member of the Western Australian Fire
Brigades Board to represent the Municipal and Road Board Fire
Districts included in Part.....of the Second Schedule to the Fire
Brigades Act, 1942.

.....
(signature of Mayor or Chairman)

.....
(signature of Town Clerk or Secretary)

I consent to this nomination.....
(signature of candidate)

Part 3.

NOMINATION PAPER FOR USE BY VOLUNTEER FIRE
BRIGADES

THE.....Volunteer Fire Brigade
hereby nominates.....
(insert description of candidate)

as a candidate for election as a member of the Western Australian
Fire Brigades Board to represent the Volunteer Fire Brigades in
accordance with the provisions of the Fire Brigades Act, 1942.

.....
(signature of Captain)

.....
(signature of secretary)

I consent to this nomination.....
(signature of candidate)

Part IV.

WESTERN AUSTRALIAN FIRE BRIGADES BOARD.

Election of Members.

VOTING PAPER.

Part 4
amended by
G.G. 24/3/44,
p. 271,
G.G. 11/9/53,
p. 1691.

A

B

(i) The voter shall mark the voting paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference, and shall give contingent votes for all the remaining candidates by placing the numerals "2", "3", and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of preference.

(ii) Any voting paper which is not marked as specified in paragraph (i) shall be informal.

(iii) The voter shall not place any signature or other mark of identification on the voting paper.

(iv) Having marked his voting paper, the voter shall gum the top of the paper down so that the letters AB and AB at the top and bottom meet, and place it in the accompanying envelope addressed to the Returning Officer.

(v) The declaration must be signed before a witness and must not be detached from the voting paper.

(va) Where a declaration has to be completed by a local authority or volunteer fire brigade the declaration must be signed by the Chairman and other person in the presence of each other at the meeting at which the resolution was passed.

(vi) All voting papers received by the Returning Officer not later than 12 o'clock noon on the..... day of 19..... shall be counted in the ballot.

Vote
in this
Column

List of Candidates.

A

B

DECLARATION FOR INSURANCE COMPANY.

G.G. 11/9/53,
p. 1691.

I, the undersigned, declare that this voting paper has been completed on behalf of the

.....
Insert name of the Insurance Company.

Signature.....

Official position.....

Signature of Witness.....

Address.....

Date.....

DECLARATION (for Local Authority or Volunteer Fire Brigade).

I, the undersigned, declare that this voting paper has been completed in accordance with a resolution of the

.....
Insert name of the Local Authority or Volunteer Fire
Brigade, as the case may be.

Passed at a ordinary* meeting of the Authority.*
special* Brigade.*

Signature.....

Chairman.....

Signature of Witness.....

Address.....

Date.....

* Strike out the word not applicable.

Part 5
inserted by
G.G. 1/4/60,
p. 981.

Part 5.

Fire Brigades Act, 1942-1959.¹

Reg. 43A.

APPLICATION FOR DETERMINATION OF QUESTION OR
DISPUTE CONCERNING AN ELECTION.

(Full Name.)
(Address.)
(Occupation.)

I,, of,
in the State of Western Australia,,
claiming that a question or dispute arises as to the regularity or
validity of the election specified hereunder, or the voting at the
election, hereby apply that the question or dispute be determined
by a stipendiary magistrate in accordance with the provisions of
the Fire Brigades Act, 1942 (as amended) and the regulations made
thereunder.

Particulars of the alleged irregularity or invalidity and the
facts on which I rely to support this application are set out
hereunder.

Particulars of Election.

Date on which election held.....

Date of completion of election (if completed).....

Name and address of returning officer.....

Purpose for which election held.....

Names of bodies entitled to vote at the election.....

Particulars of Alleged Irregularity or Invalidity.

(Set out in the particulars in numbered paragraphs.)

Facts Relied On.

(Set out in numbered paragraphs the facts relied on in
support of this application.)

Dated at..... this.....
day of....., 19.....

Applicant.

Note.—This application must be lodged in duplicate with the
Returning Officer.

¹ Now Fire Brigades Act, 1942-1964.

Part 6
inserted by
G.G. 1/4/60,
p. 981.

Part 6.

Fire Brigades Act, 1942-1959.¹

Reg. 43C.

SUMMONS.

To.....
of....., in the State of
Western Australia.

(Name of
Applicant.)
(Address of
Applicant.)

WHEREAS it is alleged that a question or dispute has arisen as
to the regularity or validity of the election specified hereunder,
or the voting at such election, and.....

of.....in the said State has made application that the question or dispute be determined in accordance with the provisions of the Fire Brigades Act, 1942 (as amended) and the regulations made thereunder:

Now, therefore, take notice that you are hereby required to appear at....., in the said State, on the.....day of....., 19....., at.....o'clock in the.....noon, before me, the undersigned stipendiary magistrate, when I shall proceed to determine the question or dispute.

And further take notice that in default of your appearance as aforesaid, the application may be heard and the question or dispute be determined, your absence notwithstanding.

Particulars of Election.

Date on which election held.....

Date of completion of election (if completed).....

Name and address of returning officer.....

Purpose for which election held.....

Names of bodies entitled to vote at election.....

Given under my hand at.....
in the said State, this.....day of....., 19.....

Stipendiary Magistrate.

¹ Now Fire Brigades Act, 1942-1964.

Third Appendix.

Fire Brigades Act, 1942.

RETURN AND DECLARATION BY INSURANCE COMPANY.

(Pursuant to Section 39.)

STATUTORY DECLARATION.

I (1)....., of (2)....., do solemnly and sincerely declare that:—

1. I am the (3).....of (4).....
the registered office of which is situated at (5).....
2. The said company is carrying on the business of insurance (6) (is constituted an insurance company under the provisions of section 39 (5) of the Fire Brigades Act, 1942).
3. To the best of my knowledge, information and belief the contribution numerator of the said company for the twelve months ended....., 19....., is £.....

And I make this solemn declaration under, and by virtue of, section 106 of the Evidence Act, 1906 (7).

Declared at.....in the State of }
.....this.....day of }
....., 19.....

Before me.....

Justice of the Peace or Commissioner
for Declarations.

- (1) Full name of declarant. (2) Address and description of declarant. (3) Office held by declarant with insurance company. (4) Corporate name or registered business name of insurance company. (5) Address of registered office. (6) Strike out the portion of this clause that the circumstances require. (7) Where this declaration is made at a place outside the State of Western Australia, this clause must be varied to conform with the law of that place.

Added by
G.G. 19/2/64,
p. 678-9,
substituted
by
G.G. 16/4/64,
p. 1936.